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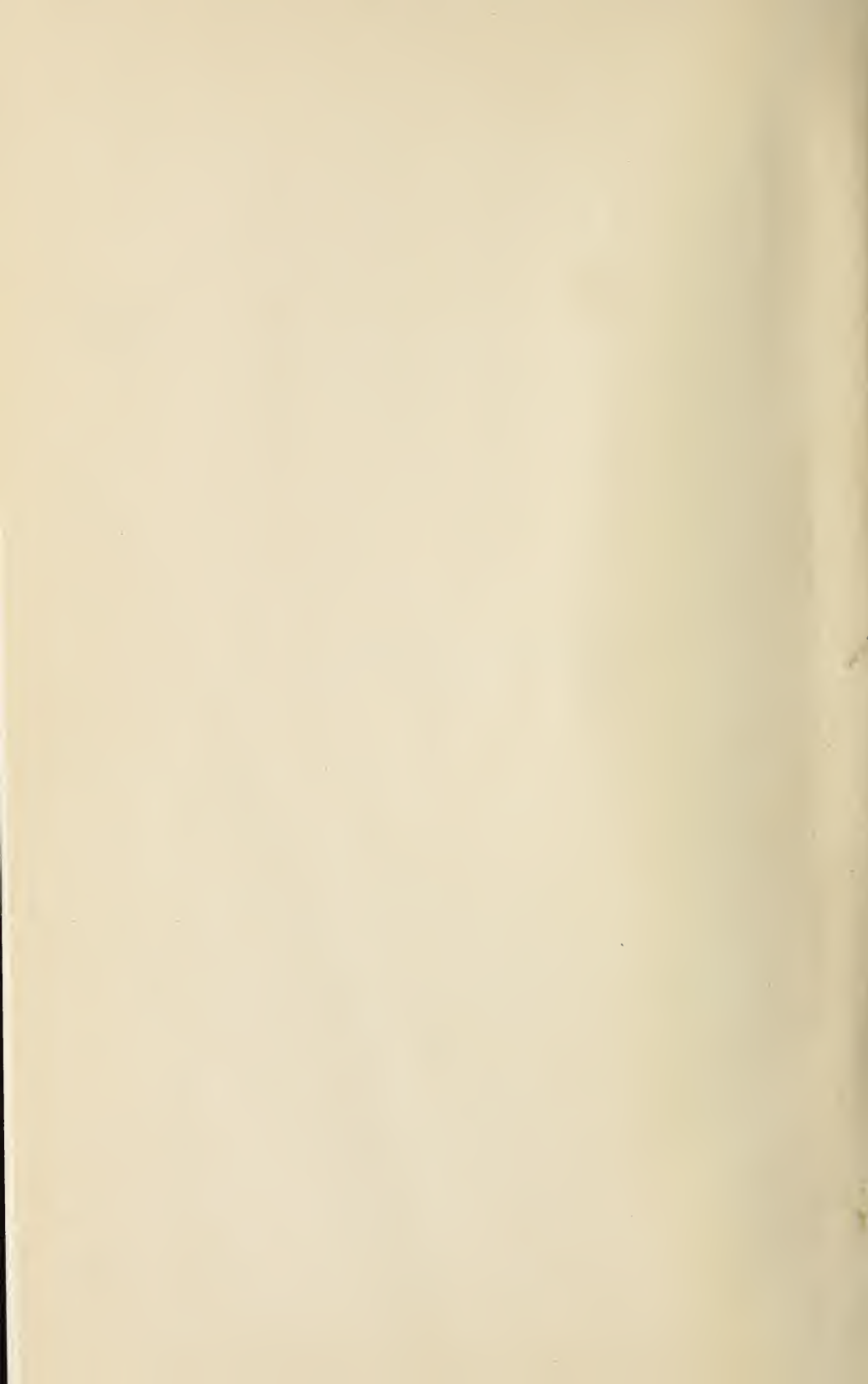








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1913*



# Laws and Regulations

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Relating to

## Indians and Their Lands



Compiled by  
**OSCAR H. LIPPS**  
Supervisor U. S. Indian Service

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## FOREWORD

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**A** LLOTING lands in severalty to Indians and opening the reservations to settlement, has during the past few years, almost completely changed conditions which previously prevailed on the various Indian reservations throughout the western country. Where formerly the Indian pursued his old occupations of hunting and fishing for a livelihood, he now finds himself, in many instances, surrounded by white neighbors who, either by homestead entry on surplus lands, by purchase of inherited or non-competent allotments, or by the lease of allotments, have invaded his domain, built towns and railroads, established homes and schools, and introduced the progressive and complex civilization of the superior and more powerful white race.

With this new order of things has come the necessity for laws and regulations governing the administration of Indian affairs, designed to safeguard the interests of the Indians and protect them against the cupidity of those who would take advantage of their ignorance and weakness on the one hand, and to promote their welfare, civilization and the development of their country on the other. These laws and regulations are numerous and are found scattered through a multitude of books, pamphlets, circulars, etc., and are not readily accessible to the general public.

Lack of knowledge of the laws and the regulations of the Department governing Indian lands, the proceeds derived from the lease and sale of such lands, etc., has, in a great many instances, resulted in getting honest persons into serious trouble. Innocent third parties have been made to suffer, and titles to valuable lands have been clouded, retarding in some instances the development of entire communities.

While the compilation of the information contained in the following pages was made primarily for personal use in connection with official duties, the publication is the result of a desire to place in the hands of persons doing business with Indians the

more important laws and regulations governing Indian affairs with the hope of abating, if possible, the growing complications resulting in many instances, it is believed, from a lack of definite and reliable information as to the legal status of the Indian and his lands, and the consequent failure to observe the rules and regulations of the Department in regard thereto.

It is believed that in this little manual will be found information of interest and value to all those who may wish to lease, or purchase Indian allotments, or secure rights of way through them, and to those who may have occasion to do business with the Indians themselves. It may also prove an instructive handbook for the Indians as many of them, especially those of the younger generations, are educated and capable of interpreting its contents. Until something better takes its place it may even be found a convenient reference manual for Superintendents of Indian Agencies, Attorneys, and others whose business or profession may call at times for information it contains.

O. H. L.



DEPARTMENT OF JUSTICE  

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OFFICE OF UNITED STATES ATTORNEY  
DISTRICT OF IDAHO  
BOISE

January 13, 1913.

I have carefully examined the manual compiled by Oscar H. Lipps, Supervisor United States Indian Service, concerning the laws and regulations relating to Indians and their lands, and have no hesitancy in commending the same as a valuable reference guide to anyone having business relations with the Indians, or who is interested in the legal status of the Indian to the State and Nation. The laws and regulations most commonly in use are set forth with clearness and precision and cannot but be helpful to those interested.

C. H. LINGENFELTER,

United States Attorney for the  
District of Idaho.



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# PART 1



# General Allotment Act and Amendments

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Act of February 8, 1887, (24 Stat. L. 388)

AN ACT to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled* (Section 1 has been amended by the act of February 28, 1891, and by section 17 of the act of June 25, 1910). That in all cases where any tribe or band of Indians has been, or shall hereafter be, located upon any reservation created for their use either by treaty stipulation or by virtue of an act of Congress or Executive order setting apart the same for their use, the President of the United States be, and he hereby is, authorized, whenever in his opinion any reservation or any part thereof of such Indians is advantageous for agricultural and grazing purposes, to cause said reservation, or any part thereof, to be surveyed, or resurveyed if necessary, and to allot the lands in said reservation in severalty to any Indian located thereon in quantities as follows:

To each head of a family, one-quarter of a section;

To each single person over eighteen years of age, one-eighth of a section;

To each orphan child under eighteen years of age, one-eighth of a section; and

To each other single person under eighteen years now living, or who may be born prior to the date of the order of the President directing an allotment of the lands embraced in any reservation, one-sixteenth of a section: *Provided*, That in case there is not sufficient land in any of said reservations to allot lands to each individual of the classes above named in quantities as above provided, the lands embraced in such reservation or reservations shall be allotted to each individual of each of said classes pro rata in accordance with the provisions of this act: *And provided further*,

That where the treaty or act of Congress setting apart such reservation provides for the allotment of lands in severalty in quantities in excess of those herein provided the President, in making allotments upon such reservation, shall allot the lands to each individual Indian belonging thereon in quantity as specified in such treaty or act: *And provided further*, That when the lands allotted are only valuable for grazing purposes, an additional allotment of such grazing lands, in quantities as above provided, shall be made to each individual.

Sec. 2. That all allotments set apart under the provisions of this act shall be selected by the Indians, heads of families selecting for their minor children, and the agents shall select for each orphan child, and in such manner as to embrace the improvements of the Indians making the selection. Where the improvements of two or more Indians have been made on the same legal subdivision of land, unless they shall otherwise agree, a provisional line may be run dividing said lands between them, and the amount to which each is entitled shall be equalized in the assignment of the remainder of the land to which they are entitled under this act: *Provided*, That if any one entitled to an allotment shall fail to make a selection within four years after the President shall direct that allotments may be made on a particular reservation, the Secretary of the Interior may direct the agent of such tribe or band, if such there be, and if there be no agent, then a special agent appointed for that purpose, to make a selection for such Indian, which selection shall be allotted as in cases where selections are made by the Indians, and patents shall issue in like manner.

Sec. 3. (This section has been amended by section 9 of the act of June 25, 1910; see page 17.) That the allotments provided for in this act shall be made by special agents appointed by the President for such purpose, and the agents in charge of the respective reservations on which the allotments are directed to be made, under such rules and regulations as the Secretary of the Interior may from time to time prescribe, and shall be certified by such agents to the Commissioner of Indian Affairs, in duplicate, one copy to be retained in the Indian Office and the other to be transmitted to the Secretary of the Interior for his action, and to be deposited in the General Land Office.

Sec. 4. (This section has been amended by section 17 of the act of June 25, 1910; see page 17.) That where any Indian not residing upon a reservation, or for whose tribe no reservation has



been provided by treaty, act of Congress, or Executive order, shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land office for the district in which the lands are located, to have the same allotted to him or her, and to his or her children, in quantities and manner as provided in this act for Indians residing upon reservations; and when such settlement is made upon unsurveyed lands, the grant to such Indians shall be adjusted upon the survey of the lands so as to conform thereto; and patents shall be issued to them for such lands in the manner and with the restrictions as herein provided. And the fees to which the officers of such local land office would have been entitled had such lands been entered under the general laws for the disposition of the public lands shall be paid to them, from any moneys in the Treasury of the United States not otherwise appropriated, upon a statement of an account in their behalf for such fees by the Commissioner of the General Land Office, and a certification of such account to the Secretary of the Treasury by the Secretary of the Interior.

Sec. 5. That upon the approval of the allotments provided for in this act by the Secretary of the Interior, he shall cause patents to issue therefor in the name of the allottees, which patents shall be of the legal effect, and declare that the United States does and will hold the land thus allotted, for the period of twenty-five years, in trust for the sole use and benefit of the Indian to whom such allotment shall have been made, or, in case of his decease, of his heirs according to the laws of the State or Territory where such land is located, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs as aforesaid, in fee, discharged of said trust and free of all charge or incumbrance whatsoever: *Provided*, That the President of the United States may in any case in his discretion extend the period. And if any conveyance shall be made of the lands set apart and allotted as herein provided, or any contract made touching the same, before the expiration of the time above mentioned, such conveyance or contract shall be absolutely null and void: *Provided*, That the law of descent and partition in force in the State or Territory where such lands are situate shall apply thereto after patents therefor have been executed and delivered, except as herein otherwise provided; and the laws of the State of Kansas regulating the descent and partition of real estate shall, so far as practicable, apply to all lands in the Indian Territory which may

be allotted in severalty under the provisions of this act: *And provided further*, That at any time after lands have been allotted to all the Indians of any tribe as herein provided, or sooner if in the opinion of the President it shall be for the best interests of said tribe, it shall be lawful for the Secretary of the Interior to negotiate with such Indian tribe for the purchase and release by said tribe, in conformity with the treaty or statute under which such reservation is held, of such portions of its reservations not allotted as such tribe shall, from time to time, consent to sell, on such terms and conditions as shall be considered just and equitable between the United States and said tribe of Indians, which purchase shall not be complete until ratified by Congress. and the form and manner of executing such release shall also be prescribed by Congress: *Provided, however*, That all lands adapted to agriculture, with or without irrigation so sold or released to the United States by any Indian tribe shall be held by the United States for the sole purpose of securing homes to actual settlers and shall be disposed of by the United States to actual and bona fide settlers only in tracts not exceeding one hundred and sixty acres to any one person, on such terms as Congress shall prescribe, subject to grants which Congress may make in aid of education: *And provided further*, That no patents shall issue therefor except to the person so taking the same as and for a homestead, or his heirs, and after the expiration of five years occupancy thereof as such homestead; and any conveyance of said lands so taken as a homestead, or any contract touching the same, or lien thereon, created prior to the date of such patent, shall be null and void. And the sums agreed to be paid by the United States as purchase money for any portion of any such reservation shall be held in the Treasury of the United States for the sole use of the tribe or tribes of Indians; to whom such reservations belonged; and the same, with interest thereon at three per cent per annum, shall be at all times subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof. The patents aforesaid shall be recorded in the General Land Office, and afterward delivered, free of charge to the allottee entitled thereto. And if any religious society or other organization is now occupying any of the public lands to which this act is applicable, for religious or educational work among the Indians, the Secretary of the Interior is hereby authorized to confirm such occupation to such society or organization, in quantity not exceeding one

hundred and sixty acres in any one tract, so long as the same shall be so occupied, on such terms as he shall deem just; but nothing herein contained shall change or alter any claim of such society for religious or educational purposes heretofore granted by law. And hereafter in the employment of Indian police, or any other employees in the public service among any of the Indian tribes or bands affected by this act, and where Indians can perform the duties required, those Indians who have availed themselves of the provisions of this act and become citizens of the United States shall be preferred.

Sec. 6. (This section has been amended by the act of May 8, 1906; see page 15.) That upon the completion of said allotments and the patenting of the lands to said allottees, each and every member of the respective bands or tribes of Indians to whom allotments have been made shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law. And every Indian born within the territorial limits of the United States to whom allotments shall have been made under the provisions of this act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up, within said limits, his residence separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in any manner impairing or otherwise affecting the right of any such Indian to tribal or other property.

Sec. 7. That in cases where the use of water for irrigation is necessary to render the lands within any Indian reservation available for agricultural purposes, the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules and regulations as he may deem necessary to secure a just and equal distribution thereof among the Indians residing upon any such reservations; and no other appropriation or grant of water by any riparian proprietor shall be authorized or permitted to the damage of any other riparian proprietor.

Sec. 8. That the provisions of this act shall not extend to the territory occupied by the Cherokees, Creeks, Choctaws, Chicka-

saws, Seminoles and Osage, Miamies and Peorias, and Sacs and Foxes, in the Indian Territory, nor to any of the reservations of the Seneca Nation of New York Indians in the State of New York, nor to that strip of territory in the State of Nebraska adjoining the Sioux Nation on the south added by Executive order.

Sec. 9. That for the purpose of making the surveys and resurveys mentioned in section two of this act, there be, and hereby is appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of one hundred thousand dollars, to be repaid proportionately out of the proceeds of the sales of such land as may be acquired from the Indians under the provisions of this act.

Sec. 10. That nothing in this act contained shall be so construed as to affect the right and power of Congress to grant the right of way through any lands granted to an Indian, or a tribe of Indians, for railroads or other highways, or telegraph lines, for the public use, or to condemn such lands to public uses, upon making just compensation.

Sec. 11. That nothing in this act shall be so construed as to prevent the removal of the Southern Ute Indians from their present reservation in Southwestern Colorado to a new reservation by and with the consent of a majority of the adult male members of said tribe.

Approved, February 8, 1887.

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### Act of February 28, 1891 (26 Stat. L., 794)

AN ACT To amend and further extend the benefits of the act approved February eighth, eighteen hundred and eighty-seven, entitled "An act to provide for the allotment of land in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States over the Indians, and for other purposes."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section one of the act entitled "An act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," approved



February eighth, eighteen hundred and eight-seven, be, and the same is hereby, amended so as to read as follows:

"Sec. 1. That in all cases where any tribe or band of Indians has been, or shall hereafter be, located upon any reservation created for their use, either by treaty stipulation or by virtue of an Act of Congress or Executive order setting apart the same for their use, the President of the United States be, and he hereby is, authorized, whenever in his opinion any reservation or any part thereof, of such Indians is advantageous for agricultural or grazing purposes, to cause said reservation, or any part thereof, to be surveyed, or resurveyed, if necessary, and to allot to each Indian located thereon one-eighth of a section of land: *Provided*, That in case there is not sufficient land in any of said reservations to allot lands to each individual in quantity as above provided the land in such reservation or reservations shall be allotted to each individual pro rata, as near as may be, according to legal subdivisions: *Provided further*, That where the treaty or act of Congress setting apart such reservation provides for the allotment of lands in severalty to certain classes in quantity in excess of that herein provided the President, in making allotments upon such reservation, shall allot the land to each individual Indian of said classes belonging thereon in quantity as specified in such treaty or act, and to other Indians belonging thereon in quantity as herein provided: *Provided further*, That where existing agreements or laws provide for allotments in accordance with the provisions of said act of February eighth, eighteen hundred and eighty-seven, or in quantities substantially as therein provided, allotments may be made in quantity as specified in this act, with the consent of the Indians, expressed in such manner as the President, in his discretion, may require: *And provided further*, That when the lands allotted, or any legal subdivision thereof, are only valuable for grazing purposes, such lands shall be allotted in double quantities."

Sec. 2. That where allotments have been made in whole or in part upon any reservation under the provisions of said act of February eighth, eighteen hundred and eighty-seven, and the quantity of land in such reservation is sufficient to give each member of the tribe eighty acres, such allotments shall be revised and equalized under the provisions of this act: *Provided*, That no allotment heretofore approved by the Secretary of the Interior shall be reduced in quantity.

Sec. 3. That whenever it shall be made to appear to the Secretary of the Interior that, by reason of age or other disability, any allottee under the provisions of said act or any other act or treaty can not personally and with benefit to himself occupy or improve his allotment or any part thereof the same may be leased upon such terms, regulations and conditions as shall be prescribed by such Secretary for a term not exceeding three years for farming or grazing or ten years for mining purposes: *Provided*, That where lands are occupied by Indians who have bought and paid for the same, and which lands are not needed for farming and agricultural purposes, and are not desired for individual allotments, the same may be leased by authority of the Council speaking for such Indians for a period not to exceed five years for grazing or ten years for mining purposes in such quantities and upon such terms and conditions as the agent in charge of such reservation may recommend, subject to the approval of the Secretary of the Interior.

Sec. 4. That where any Indian entitled to allotment under existing laws shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land office for the district in which the lands are located, to have the same allotted to him or her and to his or her children, in quantities and manner as provided in the foregoing section of this amending act for Indians residing upon reservations; and when such settlement is made upon unsurveyed lands the grant to such Indians shall be adjusted upon the survey of the lands so as to conform thereto; and patents shall be issued to them for such lands in the manner and with the restrictions provided in the act to which this is an amendment. And the fees to which the officers of such local land office would have been entitled had such lands been entered under the general laws for the disposition of the public lands shall be paid to them from any moneys in the Treasury of the United States not otherwise appropriated, upon a statement of an account in their behalf for such fees by the Commissioner of the General Land Office, and a certification of such account to the Secretary of the Treasury by the Secretary of the Interior.

Sec. 5. That for the purpose of determining the descent of land to the heirs of any deceased Indian under the provisions of the fifth section of said act, whenever any male and female Indian shall have cohabitated together as husband and wife according to the custom and manner of Indian life the issue of such



cohabitation shall be, for the purpose aforesaid, taken and deemed to be the legitimate issue of the Indians so living together, and every Indian child, otherwise illegitimate, shall for such purpose be taken and deemed to be the legitimate issue of the father of such child: *Provided*, That the provisions of this act shall not be held or construed as to apply to the lands commonly called and known as the "Cherokee Outlet": *And provided further*, That no allotment of land shall be made or annuities of money paid to any of the Sac and Fox of the Missouri Indians who were not enrolled as members of said tribe on January first, eighteen hundred and ninety; but this shall not be held to impair or otherwise affect the rights or equities of any person whose claim to membership in said tribe is now pending and being investigated.

Approved, February 28, 1891.

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### Act of May 8, 1906 (34 Stat. L., 182)

AN ACT To amend section six of an Act approved February eighth, eighteen hundred and eighty-seven, entitled "An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section six of an Act approved February eighth, eighteen hundred and eighty-seven, entitled "An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," be amended to read as follows:

"Sec. 6. That at the expiration of the trust period and when the lands have been conveyed to the Indian by patent in fee, as provided in section five of this Act, then each and every allottee shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside; and no Territory shall pass or enforce any law denying any such Indian within its jurisdiction the equal protection of the law. And every Indian born within the territorial limits of the United States to whom allotments shall have been made and who has

received a patent in fee simple under the provisions of this Act, or under any law or treaty, and every Indian born within the territorial limits of the United States who has voluntarily taken up within said limits his residence, separate and apart from any tribe of Indians therein, and has adopted the habits of civilized life, is hereby declared to be a citizen of the United States, and is entitled to all the rights, privileges, and immunities of such citizens, whether said Indian has been or not, by birth or otherwise, a member of any tribe of Indians within the territorial limits of the United States without in any manner impairing or otherwise affecting the right of any such Indian to tribal or other property: *Provided*, That the Secretary of the Interior may, in his discretion, and he is hereby authorized, whenever he shall be satisfied that any Indian allottee is competent and capable of managing his or her affairs at any time to cause to be issued to such allottee a patent in fee simple, and thereafter all restrictions as to sale, incumbrance, or taxation of said land shall be removed and said land shall not be liable to the satisfaction of any debt contracted prior to the issuing of such patent: *Provided further*, That until the issuance of fee-simple patents all allottees to whom trust patents shall hereafter be issued shall be subject to the exclusive jurisdiction of the United States: *And provided further*, That the provisions of this Act shall not extend to any Indians in the Indian Territory."

That hereafter when an allotment of land is made to any Indian, and any such Indian dies before the expiration of the trust period, such allotment shall be cancelled and the land shall revert to the United States, and the Secretary of the Interior shall ascertain the legal heirs of such Indian, and shall cause to be issued to said heirs and in their names, a patent in fee simple for said land, or he may cause the land to be sold as provided by law and issue a patent therefor to the purchaser or purchasers, and pay the net proceeds to the heirs, or their legal representatives, of such deceased Indian. The action of the Secretary of the Interior in determining the legal heirs of any deceased Indian, as provided herein, shall in all respects be conclusive and final.

Approved, May 8, 1906.

**Act of June 25, 1910 (36 Stat. L., 856, 859)**

AN ACT To provide for determining the heirs of deceased Indians, for the disposition and sale of allotments of deceased Indians, for the leasing of allotments, and for other purposes.

\* \* \* \* \*

Sec. 9. That section three of the Act entitled "An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the protection of the laws of the United States and the Territories over the Indians, and for other purposes," approved February eighth, eighteen hundred and eighty-seven (Twenty-fourth Statutes at Large, page three hundred and eighty-eight), be, and the same hereby is, amended to read as follows:

"Sec. 3. That the allotments provided for in this Act shall be made by special agents appointed by the President for such purpose, and the superintendents or agents in charge of the respective reservations on which the allotments are directed to be made, or in the discretion of the Secretary of the Interior, such allotments may be made by the superintendent or agent in charge of such reservation, under such rules and regulations as the Secretary of the Interior may from time to time prescribe, and shall be certified by such special allotting agents, superintendents, or agents to the Commissioner of Indian Affairs, in duplicate, one copy to be retained in the Indian Office and the other to be transmitted to the Secretary of the Interior for his action, and to be deposited in the General Land Office."

\* \* \* \* \*

Sec. 17. That so much of the Indian appropriation Act for the fiscal year nineteen hundred and ten, approved March third, nineteen hundred and nine, as reads as follows, to wit: "That the Secretary of the Interior be, and he hereby is, authorized, under the direction of the President, to allot any Indian on the public domain who has not heretofore received an allotment, in such areas as he may deem proper, not to exceed, however, eighty acres of agricultural or one hundred and sixty acres of grazing land to any one Indian, such allotment to be made and patent therefor issued in accordance with the provisions of the Act of February eighth, eighteen hundred and eighty-seven," be, and the same is hereby, repealed, and sections one and four of the Act of February twenty-eighth, eighteen hundred and ninety-

one (Twenty-sixth Statutes, page seven hundred and ninety-four), be, and the same are hereby, amended to read as follows:

"Sec. 1. That in all cases where any tribe or band of Indians has been or shall hereafter be located upon any reservation created for their use by treaty stipulation, Act of Congress, or executive order, the President shall be authorized to cause the same or any part thereof to be surveyed or resurveyed whenever in his opinion such reservation or any part thereof may be advantageously utilized for agricultural or grazing purposes by such Indians, and to cause allotment to each Indian located thereon to be made in such areas as in his opinion may be for their best interest not to exceed eighty acres of agricultural or one hundred and sixty acres of grazing land to any one Indian. And whenever it shall appear to the President that lands on any Indian reservation subject to allotment by authority of law have been or may be brought within any irrigation project, he may cause allotments of such irrigable lands to be made to the Indians entitled thereto in such areas as may be for their best interest not to exceed, however, forty acres to any one Indian, and such irrigable land shall be held to be equal in quantity to twice the number of acres of nonirrigable agricultural land and four times the number of acres of nonirrigable grazing land: *Provided*, That the remaining area to which any Indian may be entitled under existing law after he shall have received his proportion of irrigable land on the basis of equalization herein established may be allotted to him from nonirrigable agricultural or grazing lands: *Provided further*, That where a treaty or Act of Congress setting apart such reservation provides for allotments in severalty in quantity greater or less than that herein authorized, the President shall cause allotments on such reservations to be made in quantity as specified in such treaty or Act subject, however, to the basis of equalization between irrigable and nonirrigable lands established herein, but in such cases allotments may be made in quantity as specified in this Act, with the consent of the Indians expressed in such manner as the President in his discretion may require."

"Sec. 4. That where any Indian entitled to allotment under existing laws shall make settlement upon any surveyed or unsurveyed lands of the United States not otherwise appropriated, he or she shall be entitled, upon application to the local land office for the district in which the lands are located, to have the same allotted to him or her and to his or her children in manner as provided by law for allotments to Indians residing upon reserva-



tions, and such allotments to Indians on the public domain as herein provided shall be made in such areas as the President may deem proper, not to exceed, however, forty acres of irrigable land or eighty acres of nonirrigable agricultural land or one hundred sixty acres of nonirrigable grazing land to any one Indian; and when such settlement is made upon unsurveyed lands the grant to such Indians shall be adjusted upon the survey of the lands so as to conform thereto, and patent shall be issued to them for such lands in the manner and with the restrictions provided in the Act of which this is amendatory. And the fees to which the officers of such local land office would have been entitled had such lands been entered under the general laws for the disposition of the public lands shall be paid to them from any moneys in the Treasury of the United States not otherwise appropriated, upon a statement of an account in their behalf for such fees by the Commissioner of the General Land Office, and a certification of such account to the Secretary of the Treasury by the Secretary of the Interior."

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Approved June 25, 1910.

**An Act for Determining the Heirs of Deceased Indians, for the Disposition and Sale of Allotments of Deceased Indians, for the Leasing of Allotments, and for Other Purposes.**

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(Act approved June 25 1910; 36 Stat., 855).

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*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when any Indian to whom an allotment of land has been made, or may hereafter be made, dies before the expiration of the trust period and before the issuance of a fee simple patent, without having made a will disposing of said allotment as hereinafter provided, the Secretary of the Interior, upon notice and hearing under such rules as he may prescribe, shall ascertain the legal heirs of such decedent, and his decision thereon shall be final and conclusive. If the Secretary of the Interior decides the heir or heirs of such decedent competent to manage their own affairs, he shall issue to such heir or heirs a patent in fee for the allotment of such decedent; if he shall decide one or more of the heirs to be incompetent he may, in his discretion, cause such lands to be sold; *Provided*, That if the Secretary of the Interior shall find that the lands of the decedent are capable of partition to the advantage of the heirs, he may cause the shares of such as are competent, upon their petition, to be set aside and patents in fee to be issued to them therefor. All sales of lands allotted to Indians authorized by this or any other Act shall be made under such rules and regulations and upon such terms as the Secretary of the Interior may prescribe, and he shall require a deposit of ten per centum of the purchase price at the time of the sale. Should the purchaser fail to comply with the terms of sale prescribed by the Secretary of the Interior, the amount so paid shall be forfeited; in case the balance of the purchase price is to be paid in deferred payments, a further amount, not exceeding fifteen per centum of the purchase price may be so forfeited for failure to comply with the terms of the sale. All forfeitures shall inure to the benefit of the



heirs. Upon payment of the purchase price in full, the Secretary of the Interior shall cause to be issued to the purchaser patent in fee for such land; *Provided*, That the proceeds of the sale of inherited lands shall be paid to such heir or heirs as may be competent and held in trust subject to use and expenditure during the trust period for such heir or heirs as may be incompetent, as their respective interests shall appear: *Provided further*, That the Secretary of the Interior is hereby authorized in his discretion to issue a certificate of competency, upon application therefor, to any Indian, or in case of his death, to his heirs, to whom a patent in fee containing restrictions on alienation has been or may hereafter be issued, and such certificate shall have the effect of removing the restrictions on alienation, contained in such patent: *Provided further*, That hereafter any United States Indian agent, superintendent, or other disbursing agent of the Indian Service may deposit Indian moneys, individual or tribal, coming into his hands as custodian, in such bank or banks as he may select: *Provided*, That the bank or banks so selected by him shall first execute to the said disbursing agent a bond, with approved surety, in such amount as will properly safeguard the funds to be deposited. Such bonds shall be subject to the approval of the Secretary of the Interior.

#### INDIANS MAY DISPOSE OF THEIR ALLOTMENTS BY WILL

Sec. 2. That any Indian of the age of twenty-one years, or over to whom an allotment of land has been or may hereafter be made, shall have the right, prior to the expiration of the trust period and before the issue of a fee simple patent, to dispose of such allotment by will, in accordance with rules and regulations, to be prescribed by the Secretary of the Interior: *Provided, however*, That no will so executed shall be valid or have any force or effect unless and until it shall have been approved by the Commissioner of Indian Affairs and the Secretary of the Interior: *Provided further*, That sections one and two of this Act shall not apply to the State of Oklahoma.

#### INDIANS MAY SURRENDER THEIR ALLOTMENTS FOR BENEFIT OF THEIR CHILDREN

Sec. 3. That in any case where an Indian has an allotment of land, or any right, title, or interest in such an allotment, the

Secretary of the Interior, in his discretion, may permit such Indian to surrender such allotment, or any right, title, or interest therein, by such formal relinquishment as may be prescribed by the Secretary of the Interior, for the benefit of any of his or her children to whom no allotment of land shall have been made; and thereupon the Secretary of the Interior shall cause the estate so relinquished to be allotted to such child or children subject to all conditions which attached to it before such relinquishment.

#### INDIAN ALLOTMENTS MAY BE LEASED FOR FIVE YEARS

Sec. 4. That any Indian allotment of any Indian held under a trust patent may be leased by the allottee for a period not to exceed five years, subject to an in conformity with such rules and regulations as the Secretary of the Interior may prescribe, and the proceeds of any such lease shall be paid to the allottee or his heirs, or expended for his or their benefit, in the discretion of the Secretary of the Interior.

#### LAW PROHIBITING INDUCING INDIANS TO SIGN DEEDS, MORTGAGES, ETC., WHILE LAND IS HELD IN TRUST BY GOVERNMENT.

Sec. 5. That it shall be unlawful for any person to induce any Indian to execute any contract, deed, mortgage or other instrument purporting to convey any land or any interest therein held by the United States in trust for such Indian, or to offer any such contract, deed, mortgage or other instrument for record in the office of any recorder of deeds. Any person violating this provision shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding five hundred dollars for the first offense, and if convicted for a second offense may be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding one year, or by both such fine and imprisonment, in the discretion of the court; *Provided*, That this section shall not apply to any lease or other contract authorized by law to be made.

#### LAW PROHIBITING CUTTING OR INJURING TIMBER ON INDIAN LANDS

Sec. 6. That section fifty of the Act entitled "An Act to codify, revise, and amend the penal laws of the United States," approved March fourth, nineteen hundred and nine (Thirty-fifth

United States Statutes at Large, page one thousand and ninety-eight), is hereby amended so as to read:

"Sec. 50. Whoever shall unlawfully cut, or aid in unlawfully cutting or shall wantonly injure or destroy, or procure to be wantonly injured or destroyed, any tree, growing, standing, or being upon any land of the United States which, in pursuance of law, has been reserved or purchased by the United States for any public use, or upon any Indian reservation or lands belonging to or occupied by any tribe of Indians under the authority of the United States, or any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall be fined not more than five hundred dollars, or imprisoned not more than one year, or both."

#### LAW PROHIBITING BUILDING AND LEAVING BURNING FIRES ON INDIAN ALLOTMENTS OR TRIBAL LANDS.

That section fifty-three of said Act is hereby amended so as to read:

"Sec. 53. Whoever shall build a fire in or near any forest, timber, or other inflammable material upon the public domain, or upon any Indian reservation or lands belonging to or occupied by any tribe of Indians under the authority of the United States, or upon any Indian allotment while the title to the same shall be held in trust by the Government, or while the same shall remain inalienable by the allottee without the consent of the United States, shall, before leaving said fire, totally extinguish the same; and whoever shall fail to do so shall be fined not more than one thousand dollars, or imprisoned not more than one year, or both."

#### LAW AUTHORIZING SALE OF TIMBER ON UNALLOTED INDIAN LANDS.

Sec. 7. That the mature, living and dead and down timber on unallotted lands of any Indian reservation may be sold under regulations to be prescribed by the Secretary of the Interior, and the proceeds from such sales shall be used for the benefit of the Indians of the reservation in such manner as he may direct: *Provided*, That this section shall not apply to the States of Minnesota and Wisconsin.

### LAW AUTHORIZING THE SALE OF TIMBER ON ALLOTTED INDIAN LANDS

Sec. 8. That the timber on any Indian allotment held under a trust or other patent containing restrictions on alienations, may be sold by the allottee with the consent of the Secretary of the Interior, and the proceeds thereof shall be paid to the allottee or disposed of for his benefit under regulations to be prescribed by the Secretary of the Interior.

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### NEZ PERCE INDIANS MAY BE GRANTED PERMISSION TO LEASE THEIR LANDS WITHOUT DEPART- MENTAL CONTROL.

The Act of Congress approved June 21, 1906, provides:

That if any adult member of the Nez Perce tribe of Indians in Idaho believes himself or herself competent to make leases and transact his or her affairs, such member may file a request with the Commissioner of Indian Affairs for a permit to lease the lands which have been allotted to him or her and the minor children of such member. And if upon consideration and examination of the request the said Commissioner finds said member to be fully competent and capable of managing and caring for his or her own individual affairs, he may issue a certificate to such member authorizing him or her to make leases or rental contracts for the land allotted to such member, his or her minor children.

### INDIAN ALLOTMENTS, OR PROCEEDS OF LEASE OR SALE THEREOF, NOT LIABLE FOR DEBTS CON- TRACTED PRIOR TO ISSUANCE OF PATENT IN FEE.

The Act of Congress approved June 21, 1906, provides:

That the Act entitled "An Act to provide for the allotment of lands in severalty to Indians on the various reservations, and to extend the laws of the United States and the Territories over the Indians, and for other purposes," approved February 8, 1887, be, and is hereby, amended by adding the following:

No lands acquired under the provisions of this Act shall, in any event, become liable to the satisfaction of any debt contracted prior to the issuing of the final patent in fee therefor.

That no money accruing from any lease or sale of lands held in trust by the United States for any Indian shall become liable



for the payment of any debt of, or claim against, said Indian contracted or arising during the trust period, or, in case of a minor, during his minority, except with the approval and consent of the Secretary of the Interior.

### THE PRESIDENT MAY EXTEND THE TRUST PERIOD OF INDIAN ALLOTTEES.

The Act of Congress approved June 21, 1906, provides:

That prior to the expiration of the trust period of any Indian allottee to whom a trust or other patent containing restrictions upon alienation has been or shall be issued under any law or treaty the president may in his discretion continue such restrictions on alienation for such period as he may deem best: *Provided, however,* That this shall not apply to lands in the Indian Territory.

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### INDIAN MARRIAGE TO WHITES.

Be it enacted, etc.,—That no white man, not otherwise a member of any tribe of Indians, who may hereafter marry an Indian woman, member of any Indian tribe in the United States or any of its Territories except the five civilized tribes in the Indian Territory, shall by such marriage hereafter acquire any right to any tribal property, privilege, or interest whatever to which any member of such tribe is entitled.

Sec. 3. That whenever the marriage of any white man with any Indian woman, a member of any such tribe of Indians, is required or offered to be proved in any judicial proceeding evidence of the admission of such fact by the party against whom the proceeding is had, or evidence of general repute, or of cohabitation as married persons, or any other circumstantial or presumptive evidence from which the fact may be inferred, shall be competent. (25 Stat. L. 392).

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### STATUTE OF LIMITATIONS

Be it Enacted, Etc.—That in all actions brought in any State Court or United States Court by any patentee, his heirs, grantees, or any person claiming under such patentee, for the possession or rents or profits of lands patented in severalty to the members of any tribe of Indians under any treaty between it and the United States of America, where a deed has been approved by the

Secretary of the Interior to the land sought to be recovered, the Statutes of limitations of the States in which the land is situate shall be held to apply, and it shall be a complete defense to such action that the same has not been brought within the time prescribed by the Statute of said State the same as if such action had been brought for the recovery of land patented to others than members of any tribe of Indians.

(Act May 31, 1902; 32 Stat. L. 284).

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#### CONDEMNATION OF LANDS ALLOTTED IN SEVERALTY FOR PUBLIC USE.

That lands allotted in severalty may be condemned for any public purpose under the laws of the State or Territory where located in the same manner as land owned in fee may be condemned, and the money awarded as damages shall be paid to the allottee. (Act March 3, 1901; 31 Stat. L. 1058).

A general Act is not to be construed to repeal a previous particular Act, unless there is some express reference to the previous legislation on the subject, or unless there is a necessary inconsistency in the two Acts standing together.

—Ex Parte Crow Dog, 109 U. S. 556.

Indians have no right to grant, lease, or otherwise convey the lands occupied by them for any purpose whatever unless such conveyance is made in accordance with treaty or with law.

(Sec. 2116 R. S.).

Settlement on any lands secured to the Indians by treaty, surveying or attempting to survey, or any manner to designate the boundaries of such lands, is expressly forbidden by law under a penalty of \$1000.

(Sec. 2116 R. S.).

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#### SALE OF NON COMPETENT ALLOTMENTS.

The Act of Congress approved March 1, 1907, provides:

"That any Non Competent Indian to whom a patent containing restrictions against alienation has been issued for an allotment of land in severalty, under any law or treaty, or who may have an interest in any allotment by inheritance, may sell or convey all or any part of such allotment or such inherited interest on such terms and condition and under such rules and regulations as the Secretary of the Interior may prescribe, and the proceeds



derived therefrom shall be used for the benefit of the allottee or heir so disposing of his land or interest, under the supervision of the Commissioner of Indian Affairs; and any conveyance made hereunder and approved by the Secretary of the Interior shall convey full title to the land or interest so sold, the same as if fee simple patent had been issued to the allottee.

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#### .AUTHORITY OF SPECIAL AGENTS AND SUPERVISORS TO ADMINISTER OATHS.

That hereafter each Special Agent, Supervisor of Schools or other officials charged with the investigation of Indian Agencies and Schools, in the pursuit of his official duties shall have power to administer oaths and to examine on oath all officers and persons employed in the Indian Service, and all such persons as may deemed necessary and proper.—(Act. March 1, 1899; 30 Stat. L. 924).

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#### LAW AUTHORIZING PATENTS IN FEE TO PURCHASERS OF INDIAN ALLOTMENTS.

An Act to authorize the Secretary of the Interior to issue patents in fee to purchasers of Indian lands under any law now existing or hereafter enacted, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the lands, or any part thereof, allotted to any Indian, or any inherited interest therein, which can be sold under existing law by authority of the Secretary of the Interior, except the lands in Oklahoma, and the States of Minnesota and South Dakota may be sold on the petition of the allottee, or his heirs. on such terms and conditions and under such regulations as the Secretary of the Interior may prescribe; and the lands of a minor, or of a person deemed incompetent by the Secretary of the Interior to petition for himself, may be sold in the same manner, on the petition of the natural guardian in the case of infants, and in the case of Indians deemed incompetent as aforesaid, and of orphans without a natural guardian, on petition of a person designated for the purpose by the Secretary of the Interior. That when any Indian who has heretofore received or who may hereafter receive, an allotment of land dies before the expiration of the trust period, the Secretary of the Interior shall ascertain the legal heirs of such Indian, and if satisfied of their ability to manage their own

affairs shall cause to be issued in their names a patent in fee simple for said lands; but if he finds them incapable of managing their own affairs, the land may be sold as hereinbefore provided: *Provided*, That the proceeds derived from all sales hereunder shall be used, during the trust period, for the benefit of the allottee, or heir, so disposing of his interest, under the supervision of the Commissioner of Indian Affairs: *And provided further*, That upon the approval of any sale hereunder by the Secretary of the Interior he shall cause a patent in fee to issue in the name of the purchaser for the lands so sold: *And provided further*, That nothing in section one herein contained shall apply to the States of Minnesota and South Dakota.—Act approved May 29, 1908.

## Extracts from the Rules and Regulations Relating to Issuance of Patents in Fee and Certificates of Competency and Sale of Allotted and Inherited Indian Lands, Approved Oct. 12, 1910.

### GENERAL STATEMENT.

Any Indian of 21 years or over who holds an allotment of land under a trust patent can—

(1) Procure a patent in fee under the act of May 8, 1906 (34 Stat., 182), provided it is shown that he is competent to care for his affairs.

(2) Devise his lands by will under the act of June 25, 1910 (36 Stat., 855), provided the land is not located in Oklahoma.

(3) Sell his land under the act of March 1, 1907 (34 Stat., 1015-1018).

### PATENTS IN FEE.

#### PATENTS IN FEE TO INDIAN ALLOTTEES

The act of May 8, 1906 (34 Stat., 182), provides that the Secretary of the Interior may, whenever he shall be satisfied that any Indian allottee is capable of managing his or her affairs, cause to be issued to such allottee a patent in fee. This act does not apply to members of the Five Civilized Tribes or the Indians under the jurisdiction of the Quapaw, Kaw, or Osage agencies. The issuance of a fee patent under this act is discretionary with the Secretary of the Interior, and the chief question involved is the degree of competency shown by the allottee to care for his own affairs.

All applications for patents in fee under this act should be made to the superintendent having jurisdiction over the land the allottee seeks to have patented. The trust patent should accompany the application; or in case the trust patent has been lost or destroyed, affidavit of the allottee to that effect should accompany the application.

When an application has been received from an allottee the superintendent will post notices in conspicuous places on the reservation where the applicant is known.

At the expiration of thirty days after notices have been posted the superintendent will forward the application to the Com-

missioner of Indian Affairs, Washington, D. C., reporting fully as to the competency of the applicant, giving in detail the reasons for his recommendations.

### PATENTS IN FEE TO HEIRS.

The issuance of a patent in fee to the competent heirs of a deceased allottee is authorized by the acts of Congress approved May 29, 1908, (35 Stat., 444), and June 25, 1910 (36 Stat., 855).

When a petition for a patent in fee covering inherited land is received the superintendent or other officer designated by the Secretary of the Interior shall post notices in conspicuous places on the reservation to the effect that on a certain date and place named he will take testimony to be submitted to the Secretary of the Interior for the purpose of determining the legal heirs of the deceased allottee. This notice shall be posted for a period of thirty days.

Before the time of hearing it shall be the duty of the superintendent or other officer designated by the Secretary of the Interior to examine carefully the allotment, census, annuity rolls, and other records on file at the agency and make notations therefrom as to the relatives of the decedent for use at the hearing.

All persons known to be entitled to participation in the estate and all persons known by the superintendent who claim to be entitled to participation must be notified of the time and place, when and where, the hearing is to be held.

The superintendent is directed to secure the attendance of at least two disinterested persons who are acquainted with and have direct knowledge of the family history of the decedent to give testimony at the hearing, or he may procure their affidavits, and in case the affiants are not present at the hearing their affidavits must be read and made a part of the record. In case affidavits are submitted and any of the parties claiming an interest desire it, the affiants should be called for the purpose of cross-examination.

At the hearing the heirs, or those claiming as such, should be required to fully set forth their claims. All the testimony taken must be reduced to writing and subscribed and sworn to before the officer conducting the proceeding.

Also, the testimony taken, a copy of the posted notice to heirs and a copy of the notice sent to persons to appear at the hearing

must accompany the papers when petition for a patent in fee is submitted for consideration.

A report from the superintendent as to the heirs of the deceased allottee must also accompany the papers.

In all other respects the report of the superintendent will be the same as if the heir or heirs made an application for a patent in fee covering their own allotment.

The expenses incurred for calling disinterested persons as witnesses must be paid by the heir or heirs.

### CERTIFICATE OF COMPETENCY.

Section 1 of the act of Congress approved June 25, 1910 (36 Stat., 855), provides in part:

"That the Secretary of the Interior is hereby authorized, in his discretion, to issue a certificate of competency upon application therefor, to any Indian, or in case of his death to his heirs, to whom a patent in fee containing restrictions on alienation has been or may hereafter be issued, and such certificate shall have the effect of removing the restrictions on alienation contained in such patent."

Applications for certificates of competency should be filed with the Indian superintendent having jurisdiction over the land from which the allottees or heirs seek to have all restrictions removed. When the land is not located within the territorial limits of an Indian reservation, the allottee or heirs may petition the most convenient superintendent or other officer in charge of an Indian agency or Indian tribe, or such other public officer of the United States as may be designated by the Secretary of the Interior, who shall take like action thereon as if the land were within the territorial limits of an Indian reservation.

Reports on applications for a certificate of competency should be the same as those prescribed for the issuance of patents in fee.

If an applicant is shown to be competent to care for his own affairs, a certificate of competency will issue on Form E.

It will be observed that the provision of law last quoted applies only to Indians or their heirs "to whom a patent in fee containing restrictions on alienation has been or may hereafter be issued." The Indians of Oklahoma are excluded from this provision of the act of June 25, 1910, *supra*.



## SALE OF ALLOTTED INDIAN LANDS EXCEPT THOSE BELONGING TO THE FIVE CIVILIZED TRIBES.

The following requirements are to be observed in the conveyance of lands allotted to members of any tribe of Indians for which trust or other patents have been issued with restriction upon alienation under the provisions of the act of Congress approved February 8, 1887 (24 Stat., 388), or other acts of Congress or any treaty stipulation, as authorized by section 7 of the act of May 27, 1902 (32 Stat., 245-275); the act of March 1, 1907 (34 Stat., 1015-1018); the act of May 29, 1908 (35 Stat., 444), and the act of June 25, 1910 (36, Stat., 855).

### WHAT LANDS MAY BE SOLD.

Subject to the rules and regulations prescribed by the Secretary of the Interior, the following classes of lands may be sold:

(1) Of the heirs, whether adults or minors, of any deceased Indian to whom a trust or other patent containing restrictions against alienation has been issued or shall be issued on lands allotted to him.

(2) Of persons deemed incompetent by the Secretary of the Interior to whom allotments have been made and patents issued containing restrictions against alienation.

In general, any adult Indian to whom a patent has been issued, containing restrictions against alienation will be deemed incompetent, but sales by such Indians will be allowed only when it appears to be for their best interests.

For a number of years, particularly since 1887, the United States Government, through the Department of the Interior, has been engaged in dividing up the reservations belonging to the several tribes of Indians in severalty to the members of such tribes. These allotments in general consist of 80 acres of agricultural land or 160 acres of grazing land, and are held by the Indians under a trust patent providing, among other things, that the land is nontaxable and can not be alienated for a period of 25 years.

Among the several tribes the death of Indians has caused large areas to descend to their heirs, who, already having allotments of their own, thus become possessed of a great deal of land. In order that such Indians may have money with which to improve their own allotments Congress, by law, has provided that such



inherited lands may be sold by the Secretary of the Interior and the proceeds received used for the benefit of the heirs.

It is also provided that in the case of noncompetent Indians the Secretary of the Interior may sell all or part of an Indian's allotment to procure funds for the Indian to live upon during the remainder of his life. There are also special acts covering various tribes which permit the sale of the surplus lands of such tribes.

In general these lands may be purchased at the agencies in the several States where located, in accordance with the department's regulations covering such sales. These regulations provide that in case Indian heirs shall petition for the sale of their inherited land, or a noncompetent Indian for the sale of his own allotment, such lands shall, after the petition has been approved by the department, be offered for sale by the superintendent in charge of the Indian reservation where the land is situated. In the case of inherited land, under the provisions of the act of June 25, 1910, the superintendent shall give proper notice of his intention to take evidence, in order that the Secretary of the Interior may determine the heirs entitled to share in the proceeds of the sale of the land.

Under the regulations approved by the department on October 12, 1910, the land listed for sale on each reservation must be posted and advertised for a period of 60 days. Such list must show the names of the owner, the description of the land, the appraised value, the date when listed, and the date when bids will be opened, and can be procured at any time by addressing the superintendent of the agency where such lands are located. The bids will be opened at 2 p. m. on the day advertised for opening bids. Each bid must be accompanied by a certified check on some solvent bank, payable to the order of the superintendent or other officer in charge for the use of the vendor, for 10 per cent of the amount offered as a guaranty of the bidder's faithful performance of his proposition. If the bid shall be accepted and the successful bidder shall within 30 days after due notice fail to comply with the terms of his bid, such check shall be forfeited to the use of the owner of the land. All such bids shall be inclosed in a sealed envelope, which must be marked by the bidder "*Bid for Indian land,*" and state the date of the opening, but the description of the land need not be noted on the envelope. No bidder will be permitted to include more than one allotment in a bid. If a prospective purchaser desires to bid on more than one allotment, he must submit a separate bid on each allotment he

desires to purchase. Under no circumstances will any person connected with an agency office or the Indian service be permitted to bid, or to make or prepare any bid, or assist any prospective bidder in preparing his bid. The right to reject any or all bids is reserved by the Commissioner of Indian Affairs. The award usually is made to the highest bidder. The checks of the unsuccessful bidders will be immediately returned to them.

In some cases land will be offered for sale under the deferred-payment plan—that is, payment for the land to be sold may be part cash, and the balance secured by notes bearing the usual and legal rate of interest of the locality in which the land is located. Ten per cent of the purchase price must accompany the bid, 15 per cent additional of the purchase price to be paid when the bid is accepted, and the balance must be paid on such terms and conditions as appear in the advertisement of the sale. When the purchase price is paid in full and the accrued interest on the notes has been paid in full, a patent in fee will be issued to the purchaser. In cases where a patent in fee is not authorized by law a deed executed by the allottee or the heirs and approved by the Secretary of the Interior will be delivered to the purchaser. When lands are sold by deferred payments a certificate or memorandum of the purchase, setting out fully the terms of sale, will be delivered to the purchaser.

All persons are warned that it is a serious offense under the act of June 25, 1910, to enter into a contract or agreement for the purchase of land held in trust for an Indian without authority of the Department of the Interior. Such contracts or agreements are absolutely void. It is therefore important that all matters concerning the purchase of Indian lands should be taken up with the superintendent and carried on through his office.

#### SALE FOR TOWN-SITE PURPOSES.

Whenever it shall appear to the satisfaction of the Commissioner of Indian Affairs that it would be to the material advantage of the petitioner to sell an allotment, or any part thereof, for town-site purposes, the superintendent or officer in charge may be directed to cause such allotment, or part thereof, to be surveyed into lots, blocks, streets, and alleys, under regulations to be prescribed by the Commissioner of Indian Affairs. The lots in said town sites shall be appraised, advertised, and sold at public auction, under sealed bids or at private sale to the highest

bidder, at not less than the appraised value, under such further regulations as the Secretary of the Interior may prescribe. The costs incident to the sale of such allotment shall be paid by the Indian owner.

#### LEASES OF INDIAN ALLOTMENTS.

The act of June 25, 1910 (36 Stat., 855), provides:

"That any Indian allotment of any Indian held under a trust patent may be leased by the allottee for a period not to exceed five years, subject to and in conformity with such rules and regulations as the Secretary of the Interior may prescribe, and the proceeds of any such lease shall be paid to the allottee or his heirs, or expended for their benefit, in the discretion of the Secretary of the Interior."

The act of May 31, 1900 (31 Stat. L., 229), reads as follows:

*"Provided,* That whenever it shall be made to appear to the Secretary of the Interior that by reason of age, disability, or inability any allottee of Indian lands can not personally and with benefit to himself occupy or improve his allotment or any part thereof, the same may be leased upon such terms, regulations, and conditions as shall be prescribed by the Secretary for a term not exceeding five years for farming purposes only."

## Extracts from the Rules and Regulations to be Observed in the Execution of Leases of Indian Allotments.

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### WHO MAY LEASE

1. The term "age" is defined to apply to all persons under 18 and all persons disabled by reason of old age.

2. The term "disability" is defined to apply to—

(a) All unmarried women.

(b) All widows who have no sons of suitable age under their control to cultivate their lands with profit.

(c) All married women whose husbands or sons are not in condition to cultivate their lands with profit to the family.

(d) All allottees who are disabled by reason of chronic sickness or incurable physical defects.

(e) All allottees who are disabled by native defect of mind or permanent incurable mental disease such as to prevent them from cultivating their lands.

3. The term "inability," as used in said amended act, cannot be specifically defined as the others terms have been. Any allottees not embraced in any of the foregoing classes who, for any reason other than those stated, is unable to cultivate his lands or a portion of them, and desires to lease the same, may make application therefor to the proper Indian Agent. If his inability to cultivate his lands (or the portion thereof he desires to lease) is clearly shown in the reasons assigned, the allottee may be permitted to lease.

4. Every adult male able-bodied Indian not engaged in some permanent business or occupation by which he is gaining a livelihood for himself and family will be required to reserve not less than 40 acres of cultivatable land from his own allotment for occupancy and cultivation by himself, which shall always be exempt from leasing.

Adult male Indians not wholly disqualified by physical or mental infirmities from working a portion of their allotments, but who may be less able than those not so disqualified, will be required to work or manage a part of their allotments, to be regulated and determined by the actual conditions in each case, to be fully and conclusively shown in the applications for permission to lease.



5. Indian Agents, however, are hereby expressly directed that it is not intended by the terms "disability" and "inability" to authorize the making of any lease by an allottee who has the necessary physical and mental qualifications to enable him to cultivate his own land, either personally, through the aid of his minor children, or by hired help, unless for exceptional reasons. which must be clearly shown, he falls with the provisions of Rule 3.

Leases should provide for some specific improvements of a permanent nature in addition to money, such as buildings, fences, wells, breaking new land, etc., and with further provision that the same shall be kept in good order and repair, and become the property of the lessor after the termination of the lease.

In all leases where the erection of a house is to be a part of the consideration, the lessees will be required to build a house of not less than three rooms, the same to be erected in a substantial manner, and when completed inspection should be made by the Agent or Superintendent in order to ascertain if the terms of the lease contract have been fully complied with. This rule of inspection also applies to all other buildings.

All leases covering unfenced allotments should have provision for fencing the lands.

No application for mining leases will be considered by the Department unless specific permission has first been granted by the Department for negotiating for the same with the individual Indians whose lands are sought to be leased.

#### LENGTH OF TERM.

Leases for a money consideration alone will be made for a period of one year for grazing purposes and two years for grazing and farming, or farming; but where there is other consideration in addition to money, such as placing substantial improvements on the land, they may be made for two and three years, respectively, and in cases of an exceptional character, upon a full statement of facts, leases may be made for three years for grazing and five years for farming, but no overlapping leases shall be made within a period greater than seven months before the expiration of any existing lease.

The Department will assume the age of 21 as the majority for males and 18 for females unless specific information is furnished to the contrary.

## HOW EXECUTED.

1. The indenture of lease must be executed in conformity with the terms and conditions expressed in the printed blanks issued by the Indian Office and approved by the Department. Leases executed on other forms will not be recognized.

2. The lease must be executed in quadruplicate, in the presence of two subscribing witnesses, and acknowledged before the Indian agent within the limits of whose agency the allottee resides.

3. If the allottee or lessor is authorized to lease "outside" of the Indian Agency the instrument of the lease may be acknowledged before a Justice of the Peace or other officer having legal jurisdiction, whose official character must be certified by the clerk of a court of record under the seal of such court.

4. In submitting leases for approval the Superintendent in Charge must set forth the character and habits of the allottee as to industry, thrift, and general conduct; also the character, uprightness, and intelligence of the proposed lessee, and shall indicate whether, in his judgment, the presence of said lessee would be beneficial to the Indians.

5. If, however, the facts shall not be known to the Superintendent, they must be verified by affidavits of not less than two disinterested credible persons who are cognizant of the facts and of the value of said lands for the purposes named in said lease, whose veracity must be certified to by such officer.

6. All the testimony and all the papers pertaining to said indenture or lease must be properly authenticated under seal.

7. The Superintendent shall collect all rentals from leases made by him, and where such rentals are payable in cash, they shall be deposited to the credit of the lessors and paid out in accordance with the regulations in force regarding individual Indian Moneys.

8. One person, firm, or corporation will not be permitted to lease allotted lands upon any given reservation for farming purposes in excess of six hundred forty (640) acres.

## EXECUTION OF THE BONDS.

1. The bond must be signed by two or more sufficient sureties, guaranteeing the payment of all the rents and royalties at the time specified, and the performance of all covenants and agreements in the indenture to be paid and performed by the lessee.



2. Below the bond is a blank "verification of sureties." This verification must be subscribed and sworn to before some officer who is authorized to administer oaths. If subscribed to before a Justice of the Peace or a notary public the official character of such officer must be certified to before some officer of a court of record, under seal, having jurisdiction in the county where the acknowledgment was taken. The sureties must write their names in the verification. They must not be written by the officer taking the acknowledgment.

3. Each surety must justify under oath to an amount equal to the value of the entire rent to be paid.

4. The sureties must sign the bond in the presence of two subscribing witnesses.

5. All names, both in the lease and bond, must be written in full, as initial letters will not be recognized as a Christian name.

The foregoing regulations have been modified so far as to permit allottees who have been deemed to have the requisite knowledge, experience and business capacity to negotiate lease contracts, to make leases on their own allotments, but not on allotments of their minor children, or on inherited allotments except by special permission. The regulations governing "outside" leases are as follows:

1. The leases must be made in quadruplicate on the forms prescribed by the Department. These blank lease forms may be had by applying to the Superintendent in Charge.

2. The terms of such leases shall be in accordance with existing regulations, and for periods not exceeding five years, but no overlapping leases shall be made within a period greater than seven months before the expiration of any existing lease.

3. The question of consideration, whether a cash rental or share of the crop grown on the land, shall be left to the determination of the lessor.

4. The question of whether a bond shall be required for the faithful performance of the contract is also left to the discretion of the lessor, but if a bond is required it shall be executed on the form prescribed by the Department.

5. After the lease shall have been completed, all parts thereof shall be filed in the office of the Superintendent in Charge of the reservation within 30 days thereafter for his examination. After such examination, if found to conform to the law and the rules and regulations prescribed thereunder, the Superintendent shall

indicate on the lease his approval thereof and deliver one part to the lessor, one part to the lessee, send one part to the Indian Office and keep one part for the agency files. Rentals on "outside" leases are to be paid to the lessor direct when due, and his receipt should in all cases be secured by the lessee at the time payment is made.

Indians who have not been classified as competent to lease their own lands, or who, by reason of improper conduct or abuse of the privilege, have forfeited their rights in this respect, shall have their leases made in the office of the Superintendent in charge of the reservation, who will collect the rentals and deposit the same to the credit of the lessor to be paid to him or expended for his benefit in accordance with the Regulations in force regarding individual Indian money.

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#### INDIVIDUAL INDIAN MONEY.

All individual Indian moneys derived from the lease and sale of lands are required to be deposited in National banks which have been designated by the Department as depositaries for such funds, to the credit of the individual Indians, except in cases where special authority has been previously granted for paying such funds to the Indians direct. These are trust funds and can not be drawn out of the bank by the Indian without authority first having been obtained and the check approved by the Superintendent in charge of the agency.

"Except in cases of women, and of minor children who are too young to attend school, all able-bodied Indians are expected to earn their support by their own labor. No able-bodied Indians, except in case of inability to support himself and family by reason of illness, lack of work, failure of crop, unproductive labor incident to commencing farming, or similarly equally good reason, should be permitted to draw on his bank account for the actual living expenses of himself and family, but he should be permitted to use his money in making permanent improvements on his allotment, in the purchase of necessary teams and farming implements and for other equally good purposes."

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#### PUBLIC ROADS THROUGH INDIAN LANDS.

Section 4 of the Indian Appropriation Act approved March 3, 1901 (31 Stat., p. 1058), provides:

"That the Secretary of the Interior is hereby authorized to

grant permission, upon compliance with such requirement as he may deem necessary to the proper State or local authorities for the opening and establishment of public highways, in accordance with the laws of the State or Territory in which the lands are situated, through any Indian reservation or through any lands which have been allotted in severalty to any individual Indians under laws or treaties, but which have not been conveyed to the allottees with full power of alienation."

### REGULATIONS.

No public road or highway shall be established or opened across any Indian Reservation or any Indian allotment held under a trust patent until an application for permission to open such road or highway shall be approved by the Secretary of the Interior.

The laws of the several states and territories respecting the establishment of public roads and the conditions surrounding the different reservations and allotted lands likely to be crossed by public roads are so widely at variance that it is not deemed advisable to formulate other than general rules governing the manner of presenting the application for the grant of the permission and the showing made in support thereof.

In order to secure the grant of permission to open public highways through any Indian reservation or other lands allotted in severalty to and held in trust by the United States for individual Indians, local road authorities will be required to make formal application, addressed to the Secretary of the Interior, and accompany the same by a satisfactory showing as to the necessity for the proposed road or highway and a map or plat thereof showing its exact location in connection with the lines of the public survey where surveyed; also its width and length within the reservation or allotted lands.

When the proposed road is to be a part of a main or principal highway, the names of the towns which it is intended to connect by such highway must be given in the application. If it is to be a branch road, the application must show the point at which it will connect with the main highway and give the names of the principal towns between which the main highway lies

Where the lands traversed have been surveyed, the proposed road or highway must follow section or allotment lines as far as practicable, and satisfactory showing must be made for any departure therefrom.

The application must be filed with the Superintendent or other officer in charge of the Indian lands desired to be crossed, and it shall be the duty of such officer to examine fully into the circumstances and bring the matter to the attention of the individual Indians or tribe affected. The superintendent or officer in charge shall take up with the authorities and the Indians the question of damages which will be caused to the lands by the establishment of the proposed road, and a definite agreement should be reached, if possible, regarding the amount of such damages, if any, to be paid to the allottee or tribe for the right of way. In cases where no actual damages will result, the Indians should be counseled by the officer in charge to give the right of way on the same basis as the homesteader would. The officer in charge shall make a full report in submitting the application to the Commissioner of Indian Affairs, who will in turn forward the case to the Secretary of the Interior for his consideration and action.

F. H. ABBOTT,

Assistant Commissioner.

Approved February 23, 1911.

R. A. BALLINGER, Secretary.



## DEPARTMENT OF THE INTERIOR

### UNITED STATES INDIAN SERVICE

Washington, May 27, 1912,

#### AMENDMENT TO REGULATIONS GOVERNING APPLICATIONS FOR RIGHTS OF WAY ACROSS INDIAN LANDS

All applications for rights of way across or easements affecting Indian lands for railroad lines, station grounds, ballast pits, telegraph and telephone lines, power transmission lines, pipe lines-public highways, canals, ditches, flumes or other water conduits, reservoirs, power sites, or overflow lands, filed under any act of Congress, shall be accompanied by at least two maps, drawn on tracing linen, showing the definite location and extent of the lands desired for such right of way or easement, and prepared in accordance with the regulations governing applications for the specific right of way or easement sought to be acquired. Should the application be approved the original map, with the approval of the Department indicated thereon, will be filed in the permanent records of the General Land Office, and the other tracing, with a notation that it is a copy of the original as approved, will be placed in the files of the Indian Office.

Should the applicant desire a copy of the approved map, it shall file with its application an additional map which may be either a tracing or blue-print copy. The third map, if filed, will be returned to the applicant, with a notation placed thereon that it is a copy of the original as approved by the Department.

The applicant may, if desired, obtain certified blue-print copy of the original map as approved by the Department on the payment of the prescribed fee.

This amendment will be effective from this date.

C. F. HAUKE,

Second Assistant Commissioner.

APPROVED: May 28, 1912.

SAMUEL ADAMS,

First Assistant Secretary

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## DEPARTMENT OF THE INTERIOR

### OFFICE OF INDIAN AFFAIRS

WASHINGTON

Circular No 569.

Construction of Railroads,  
Telephone Lines, Etc.

September 28, 1911

To Superintendents:

A case has recently been brought to the attention of the Office in which a railroad company was allowed to construct a railroad and put its trains in operation across an Indian allotment, held in trust, without first having been granted a right of way, in accord-



ance with the provisions of the act of March 2, 1899 (30 Stat. L., 900), and the regulations prescribed thereunder.

The Office is instructed by the Department to notify all superintendents in charge of Indian reservations and allotted lands to exercise due care to see that no railroad company is allowed to occupy Indian lands without first having complied with the law and the regulations. This will apply not only to railroad rights of way but also to rights of way for telephone and telegraph lines, pipe lines, canals, ditches, reservoirs, etc. All superintendents and other officers in charge of Indian lands are expected to see that the instructions contained herein are closely observed.

C. F. HAUKE,

Second Assistant Commissioner.

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## DEPARTMENT OF THE INTERIOR

### OFFICE OF INDIAN AFFAIRS

WASHINGTON

Circular No. 497  
Attorney's Contracts  
With Indians

December 23, 1910

To all Superintendents and Agents:

Section 2103 of the Revised Statutes of the United States provides that no agreement shall be made by any person with any tribe of Indians or individual Indians not citizens of the United States for certain purposes, except that it be executed in a certain manner and receive the approval of the Secretary of the Interior and the Commissioner of Indian Affairs. While such contracts must be approved before they are effective, there are important considerations necessarily connected with such transactions affecting the welfare and material interests of the Indians that should be considered by the Department and the Indian Office prior to the presentation of the subject to the Indians concerned.

It is the duty of the Department and the Indian Office to administer the affairs of the Indian tribes under the jurisdiction of the Government and it is believed to be in the interest of good administration not to permit any contracts with any agent or attorney to be entered into with Indian tribes or individual Indians not citizens of the United States without Departmental authority previously granted.

Superintendents and Indian Agents are hereby directed not to allow the negotiations of such contracts with the Indians under their charge, unless explicitly advised by the Department or the Indian Office that prior authority therefor has been granted.

Contracts negotiated without such authority will not receive consideration either by the Department or the Indian Office.

R. G. VALENTINE, Commissioner.

December 24, 1910.

Approved: R. A. BALLINGER, Secretary.

## DEBTS OF INDIVIDUAL INDIANS.

Indian Office Circular No. 578, dated October 25, 1911, addressed to Agents and Superintendents, reads in part as follows:

"Your attention is again called to the fact that this office will no longer make any adjustment of debts of individual Indians contracted subsequent to December 17, 1909. When in the case of a competent Indian, the Superintendent, in his discretion, sees fit to recommend that the Indian be given a sum of money without restrictions, this office will take favorable action on a general showing of competency that is satisfactory, without regard to whether the applicant WISHES TO PAY PARTICULAR DEBTS OR NOT. It would be manifestly inconsistent with the positive instructions of the Department in its Order of December 17, 1909, as well as with the established policy of this office, to assist even indirectly in the settlement of claims contracted since the date of the Department's Order mentioned."

"CREDIT EXTENDED TO INDIANS IS ENTIRELY AT THE CREDITOR'S RISK."

"This Circular is not intended to apply to the absolutely necessary expenditures which a Superintendent may be called upon to authorize in connection with the death and burial of Indians having individual funds to their credit."



## PART 2





## DIGEST OF DECISIONS RELATING TO INDIAN AFFAIRS

### INDIAN LANDS.

The power to correct a mistake or to cancel an unlawful entry of Osage trust and diminished reserved lands continues in the executive officers of the United States, and their decisions upon all questions of fact are conclusive upon the parties and binding upon the courts unless they are vitiated by fraud and imposition.

Frees v. Rush, 54 Kans., 274

It is a settled principle that a patent conveying lands lying partly within and partly without the territory retained by the Indians is void as to so much as lie within it.

Patterson v. Jenkins, 2 Pets., 216.

Donforth v. Wear, 9 Wheat., 673.

Leases made by Indians of lands in severalty under the acts of Congress therefor are absolutely void and neither such leases nor occupancy and planting of crops upon the lands, by the lessees or their sub-tenants, give to the occupant any right to restrain the officers of the Government from removing them from such lands.

Pilgrim v. Beck, 69 Fed. Rep., 895.

The Government has the power to invoke the aid of the Courts to remove from the lands of the Indians under its supervision and control persons who have intruded thereon under unauthorized leases from the Indians, and to restrain such persons from procuring other such leases from the Indians.

United States v. Livestock and Real Estate Co.,

69 Fed. Rep. 886.

Lapse of time and allotment of portions of their reservations do not terminate the tribal relations of Indians, nor remove them from the supervision and control of the Interior Department of the Government.

United States v. Flournoy & Co., 71 Feb. Rep. 576.

The citizenship bestowed upon Indians to whom lands had been allotted in severalty was in no way inconsistent with the

restrictions imposed upon their titles, and under these restrictions the leases by the Winnebagoes are wholly void.

(Ibid).

If the executive branch of the Government deems it necessary for the proper performance of its treaty stipulations with the Indians to forbid the occupancy of allotted tracts by white men, it has the right to do so, particularly in view of the fact that, in all the legislation touching the same, Congress has uniformly prohibited the alienation of the lands, and has expressly declared that all contracts between the Indians and persons **not native** members of the tribe shall be wholly null and void.

(Ibid).

An Indian, under disability to convey his lands without the consent of the Secretary of the Interior, cannot of himself make a valid dedication of a portion of said lands to the public for use as a highway; nor can any dedication be presumed by any user of the public highway, or from his acts and conduct in reference thereto.

State of Kansas v. O'Laughlin, 19 Kans., 504.

The right to sell property is not derived from and is not dependent upon citizenship, neither does it detract in the slightest degree from the dignity or value of citizenship that a person is not possessed of an estate, or, if possessed of an estate, that he is deprived for the time being of the right to alienate it. It does not follow, therefore, that the power of these Indians to deal with land which was held in trust for their benefit was sensibly enlarged, or that the restrictions against alienation found in the Act of February 8, 1887 (24 Stat. L., 388), was removed, because in the sixth section of the same Act Congress saw fit to declare Indian allottees to be citizens.

Beck v. Flournoy, etc. Co., 65 Fed. Rep., 30.

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INDIAN ALLOTMENTS AND PROCEEDS OF SALE OF  
SAME ARE EXEMPT FROM TAXATION WHILE  
HELD IN TRUST BY THE UNITED STATES.

No authority exists for the State to tax lands which are held in trust by the United States for the purpose of carrying out its policy in reference to these Indians. \* \* \*

While the title to the land remained in the United States, the

permanent improvements could no more be sold for local taxes than could the land to which they belonged. Every reason that can be urged to show that the land was not subject to local taxation applies to the assessment and taxation of the permanent improvements.

—United States vs. Rickert, 188 U. S., 432.

Lands allotted to Indians, inalienable for certain periods of time during which they are held in trust by the United States under any law or treaty are exempt from taxation by any State or county during the period of the trust, because they are instrumentalities lawfully employed by the nation in the exercise of its powers of government to protect, support and instruct the Indians.

The proceeds of the sales of such allotted lands by the allottee or his heirs under Acts of Congress, which have been deposited by direction of the Secretary of the Interior in a bank selected by the Commissioner of Indian Affairs to the credit of the allottee or his heirs, in proper proportions, subject to their check only when approved by the agent or officer in charge, are held in trust by the United States for the same purpose as were the lands, and are exempt from taxation by any State or County for the same reason.

No change of form of property divests it of a trust. The substitute takes the nature of the original and stands charged with the same trust. The authorized sale of trust property by a trustee discharges the property sold from, and charges the proceeds of the sale in the hands or under the control of the trustee with the trust.

2339 United States vs. County of Thurston, Neb., et al  
U. S. Court of Appeals, Eighth Circuit.

Decision Filed March 21, 1906.

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## JURISDICTION IN CONTROVERSIES CONCERNING INDIAN ALLOTMENTS.

By the amendments to the Act of 1894, approved February 6, 1901, ch. 217 (31 Stat. L., 750), it is expressly required that in suits authorized to be brought in the Circuit Courts of the United States respecting allotments of Indian lands, "the parties thereto shall be the claimant as plaintiff and the United States as party defendant." Nothing could more clearly demonstrate

than does this requirement, the conception of Congress that the United States continued as trustee to have an active interest in the proper disposition of allotted Indian lands and the necessity of its being made a party to controversies concerning the same, for the purpose of securing a harmonious and uniform operation of the legislation of Congress on the subject.

Because from the considerations previously stated we are constrained to the conclusion that the Court below (the Supreme Court of the State of Oregon) was without jurisdiction to entertain the controversy.

McKay vs. Kalyton, 204 U. S. 458.

Decided February 25, 1907.

The case of Bond vs. the United States et al., decided in the Circuit Court of the United States for the District of Oregon, September 12, 1910, held that under the Act of June 25, 1910 (36 Stat. L., 855), the Secretary of the Interior had exclusive jurisdiction to determine heirship and descent as they may effect allotted lands during the trust period, said Act operating by implication to repeal the Act of February 6, 1901 (31 Stat. L., 760), with the result that the authority of Federal Courts to adjudicate cases of this nature had immediately ceased.

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#### JURISDICTION OF CRIMES COMMITTED ON INDIAN ALLOTMENTS WHILE SAME ARE HELD IN TRUST BY THE UNITED STATES.

On December 20, 1909, the Supreme Court of the United States decided that it is a violation of the laws prohibiting the introduction of liquor into the Indian country to take intoxicating liquor onto an Indian allotment on the Yakima reservation while the same is held in trust by the United States.

See United States vs. Sutton, 215 U. S. 291.

The mere fact that citizenship has been conferred upon allotted Indians does not necessarily end the right or duty of the United States to pass laws in their interest as a dependent people.

Hallowell vs United States, 221 U. S., 317-324.

The Supreme Court of the United States held, in United States vs. Celestine, 215 U. S., 278, that an Indian of the Tulalip reservation who had been allotted land and given patent therefor under authority of the treaty with the Omahas, March 16, 1854, and the treaty of Point Elliot, January 22, 1855, was made a



citizen by virtue of the Act of February 8, 1887 (24 Stat. 389), and given all the rights, privileges and immunities of citizens. Notwithstanding the allotment Acts and the granting of full rights of citizenship to Indians, "It may fairly be held that the statute does not contemplate a surrender of jurisdiction over an offense committed by one Indian upon the person of another Indian within the limits of a reservation." (Decided December 13, 1909.)

Under the provisions of Section 6 of the Act of Congress of February 8, 1887, known as the Daws Act, upon the completion of allotments made under that Act, and the patenting of the lands to the allottees by trust patents, each and every member of the respective bands or tribes of Indians to whom allotments are made "shall have the benefit of and be subject to the laws, both civil and criminal, of the State or Territory in which they may reside," and the State courts accordingly have jurisdiction to try an Indian for any public offense, except the introduction of liquor into the Indian country, where such Indian has taken an allotment under the Daws Act.

The provisions of Section 9 of the Act of Congress of March 3, 1885 (23 Stat. L., 385) reserving to the general government exclusive jurisdiction to try all charges against Indians for crimes committed by them against the property or person of another Indian, embraced within the charges of murder, manslaughter, rape, arson, assault with intent to kill, burglary and larceny, do not apply to Indians whose reservation was thrown open and who received allotments under the provisions of the Act of Congress of February 8, 1887, known as the Daws Act, prior to the amendment of that Act by the Act of Congress of May 8, 1906 (34 Stat. L., 182).

State of Idaho vs. Lott and Jabeth.

Decision Supreme Court of Idaho, Filed April 22, 1912.

NOTE—Under the two decisions just quoted we have on some allotted reservations—on the Yakima Reservation for example—members of the same family some of whom are citizens and still subject to the jurisdiction of the federal courts, some who are citizens and electors and are subject to the jurisdiction of the State courts, and still others of the same family, who are neither citizens nor electors and who are subject to the exclusive jurisdiction of the federal courts. Allotments on the Yakima reservation were made under different Acts of Congress. O. H. L.



The provision in the Treaty of February 24, 1869 (16 Stat., L., 673), with the Bannock Indians, whose reservation was within the limits of what is now the State of Wyoming, that they shall have the right to hunt upon the unoccupied lands of the United States so long as game may be found thereon, etc., does not give them the right to exercise this privilege within the limits of the State in violation of its laws.

—Ward v. Race Horse, 163 U. S., 504.

Exclusive jurisdiction of the State Courts over crimes on Indian reservations not committed by or against Indians is not taken away by the clause of the enabling Act of the State of Montana providing that "Indian lands shall remain under the absolute jurisdiction and control of the Congress of the United States."

—Draper v. United States, 164 U. S., 240.

### ALLOTING THE LAND DOES NOT ABOLISH THE RESERVATION

It is not disputed that the lands are a part of those set apart as the Buyallup reservation, and that the reservation has not been directly revoked; but it is contended that the allotment of the lands in severalty, and afterwards making the Indians citizens, necessarily had the effect to revoke the reservation. There is plausibility in the argument and it needs to be carefully considered. It is clear that the allotment alone could not have this effect, (The Kansas Indians, 5 Wall. 737), and citizenship can only have it if citizenship is inconsistent with the rights of citizens. It is not necessarily so. Some of the restrictions of a reservation may be inconsistent with the rights of citizens. The advantages of a reservation are not; and if, to secure the latter to the Indians, others not Indians are excluded, it is not clear what right they have to complain. The Act of 1887, which confers citizenship, clearly does not emancipate the Indians from all control or abolish the reservation.

Eells et al vs. Ross, (12 C. C. A. 205).

Quoted by U. S. Supreme Court in United States vs. Celestine, 215 U. S. 278.

## INDIAN CUSTOM ADOPTION.

The right of the plaintiff to recover depends upon whether, under the custom alleged in the complaint, she became the legally adopted mother and heir of the infant Pearson by reason of his mother's abandonment and her subsequent nurture and care of him. Now, adoption is the taking into one's family the child of another as son and heir, and conferring on it a little to the rights and privileges of such. It is a right purely statutory, was unknown to the common law. It was, however, a feature of the Roman law, but even according to that system some special authority of law was necessary to constitute an adoption; (*Ballard v. Ward*, 89 Pa. St. 358). It never was in the power of an individual, either by the common law of England or by the Roman law, to adopt the child of another at his own volition, or by the consent of its parents; (*Abney v. De Loach*, 84 Ala. 393—4 South, 757). There must be some special authority for such a proceeding. In this state it requires the decree of a competent court, made in conformity to the provisions of the statute, to confer on a child the capacity or quality of heir to a stranger; (*Furgeson v. Jones*, 17 Ore. 204,—20 Pac. 842, 3 L. R. A. 620).

In the matter of marriage between Indians, tribal customs have been recognized by the courts because they were in conformity to natural rights. But the right of adoption is contrary to natural law, and we have been unable to find any case reported where adoption by custom has been sanctioned or maintained.

—*Non-she-po vs. Wa-win-ta*, 37 Ore. 213; 62 Pac. 15.  
Decided August 13, 1900.

## INDIAN CUSTOM MARRIAGE.

The provisions in the Act of 1885, under which the allotment in the present case was made, "that the law of alienation and descent in force in the State of Oregon shall apply thereto after patents have been executed," does not impose upon Indians whose tribal relations have not been terminated the obligation to conform to the marriage laws of Oregon, and that it is immaterial here whether or not the marriage of the appellee was legal according to those laws. Congress had the power which it exercised to declare a general rule of descent of land which the United States held in trust for Indian allottees and to define the extent to which the allottees, although made citizens, were to be subject to State law. In view of the prevalence of marri-

age according to the Indian custom Congress in the Act of 1885 refrained from extending the marriage laws of the State to Indians living in tribal relations on the Umatilla Reservation, and in the Act of 1891 Congress made a general provision expressing and declaring affirmatively its policy in regard to such marriages.

Parr et al. vs. Colfax, U. S. Circuit Court of Appeals for the Ninth Circuit. Decision filed February 5, 1912.

It is not necessary to the validity of a marriage, according to the custom of the Ponca Indians, that it be actually contracted on the territory set off to or occupied by them.

—La Raviere v. LaRaviere et al., 77 Mo., 512.

#### AGREEMENT WITH NEZ PERCE INDIANS TO PROHIBIT INTRODUCTION OF LIQUOR ON RESERVATION FOR PERIOD OF TWENTY-FIVE YEARS, BINDING.

Following our former decisions, we adjudge that the agreement between the United States and the Nez Perce Indians, whereby the Indian lands ceded, retained and allotted to the Nez Perce Indians, should be subject (not without limit as to time, but only for twenty-five years) to any Federal statutes prohibiting the introduction of intoxicants into the Indian country, was not liable to objection on constitutional grounds, in which the demurrer to the indictment was properly overruled, and the plaintiff in error rightfully convicted.

—Dick vs. United States, 208 U. S., 340.

Decided February 24, 1908.

#### THE CASE OF CROW DOG.

On August 5, 1881, Crow Dog shot and killed Spotted Tail on one of the Sioux reservations in South Dakota, for stealing and carrying away the wife of one, Medicine Bear, a friend of Crow Dog.

This event was fraught with important consequences, as it resulted in establishing the status of the Indian before the law. Crow Dog went into hiding until his friends, according to the custom of the tribe, had made satisfactory compensation to the family of Spotted Tail for his murder. So far as the Indians were concerned this settled the matter. However, Spotted Tail was a man of too much importance for the authorities to permit his assassin to go unpunished. Crow Dog was arrested and

brought to trial, was convicted, and the case appealed. The contention was made on behalf of Crow Dog that, he being an Indian and not a citizen of the United States, the court had no jurisdiction; that having been dealt with according to the custom of the tribe for the offense, he was not amenable to prosecution by federal or other courts. The United States Supreme Court, to which the case was appealed took this view of the case and discharged the accused man.

This decision resulted in the passage of the Act of Congress approved March 3, 1885 (23 Stat. 385), which extended the jurisdiction of the Federal courts to crimes committed by one Indian against the person of an other Indian when committed on a reservation.

(See "My Friend The Indian," by James McLaughlin, page 73).

Also, *Ex Parte Crow Dog*, 109 U. S. 556.

#### INDIAN COUNTRY.

All the country described by the first section of the Act of June 30, 1834, (4 Stat. L., 729), as Indian country, remains Indian country so long as the Indians retain their original title to the soil, and ceases to be Indian country whenever they lose that title in the absence of any different provision by treaty or by Act of Congress.

*Bates v. Clark*, 95 U. S., 204. Decided December 3, 1877.

Since the repeal of section one of the Indian intercourse Act, (4 Stat. L., 729), by section 5596 of the Revised Statutes, the only Indian country in the United States within the purview of that phrase is used in Chapter 4, Title XXVIII of the Revised Statutes, is the tract of country set apart by the United States for the exclusive use and occupancy of particular Indian tribes, and known as Indian reservations; and the Umatilla Reservation in Oregon is such Indian country.

—*United States v. Martin*, 14 Fed. Rep. 817.

Same 8 Shaw 473.

#### WHEN THE TRIBAL ORGANIZATIONS CEASE.

If the tribal organization of Indian bands is recognized by the political department of the National Government as existing—that is to say, if the National Government makes treaties with, and has its Indian Agent among them, paying annuities and dealing otherwise with the "head-men" in its behalf—the fact



that the primitive habits and customs of the tribe when in a savage state have been largely broken into by their intercourse with the whites, in the midst of whom, by the advance of civilization, they have come to find themselves, does not authorize a State government to regard the tribal organization as gone and the Indians as citizens of the State where they are and subject to its laws.

The Kansas Indians, 5 Wallace, 737.

#### INDIANS ALLOTTED UNDER THE DAWES ACT ARE CITIZENS AND ELECTORS.

When a certain territory was situated in the limits of the County of Benson, North Dakota, and also within the limits of the Devils Lake Indian Reservation, and where said territory had, under an Act of Congress been allotted to certain Indians, and where said persons were living upon their respective allotments it was the duty of the County Commissioners of Benson County to establish a voting precinct within or for said territory. Such Indians so residing upon lands allotted to them in severalty, and for which the preliminary patents had been issued, are citizens of the United States, and qualified electors of the State.

Denover et al. v. County Comrs., 72 N. W. Rep. 1014.

No State can, by either its constitution or other legislation withdraw the Indians within its limits from the operation of the laws of Congress regulating trade with them, notwithstanding rights it may confer on such Indians as electors or citizens.

United States v. Halliday, 3 Howard, 407.

In all cases about the rights of property in which an Indian may be a party on one side and a white person on the other, the burden of proof shall rest upon the white person whenever the Indian shall make out a presumption of title in himself from the fact of previous possession or ownership. (Sec. 2126, R. S.).

Felix v. Patrick, 36 Fed. Rep., 457.

#### CONGRESS AND NOT THE COURTS MUST DETER- MINE HOW AND WHEN GUARDIANSHIP OVER THE INDIAN SHALL BE ABANDONED.

Of late years a new policy has found expression in the legislation of Congress—a policy which looks to the breaking up of tribal relations, the establishment of the separate Indians in individual homes, free from national guardianship and charged



with all the rights and obligations of citizens of the United States. Of the power of the Government to carry out this policy there can be no doubt. It is under no constitutional obligation to perpetually continue the relationship of guardian and ward. It may at any time, abandon its guardianship and leave the ward to assume and be subject to all the privileges and burdens of one sui juris. And it is for Congress to determine when and how that relationship of guardianship shall be abandoned. It is not within the power of courts to overrule the judgment of Congress. It is true there may be a presumption that no radical departure is intended, and courts may wisely insist that the purpose of Congress be made clear by its legislation, but when that purpose is made clear the question is at an end.

—The Matter of Heff, 197 U. S., 488.



## PART 3



List of Nez Perce Indian allottees who are authorized to manage and make contracts for leasing their own allotments. Leases must be made on forms furnished by the commissioner of Indian affairs, and must be approved by the officer in charge of the Nez Perce Indian Agency.

Allot- No.	Name of Allottee.	Allot- No.	Name of Allottee.
1768	Allen, Jeanette	1591	Anderson, Harry
1766	Allen, Emma	1592	Anderson, Elinor G.
1238	Allen, Lula	19	Amos, William,
339	Allen, John		alias Henry Eneas
340	Allen, Fannie	642	Alfrey, William, Jr.
341	Allen, Thomas	644	Alfrey, Jack
1762	Andrews, Luke	1780	Allen, Joseph
1763	Andrews, Mary	1782	Allen, Calvin
86	Arthur, Mark	168	Ah pat ma
87	Arthur, Mary B.	1068	Amera, Harriet
1267	Anderson, John	216	Agee, Mrs. Elvira
1268	Anderson, Fannie	219	Agee Ada
1065	Amera, Charles	222	Agee, Robert
1661	Brown, Dick Richard	596	Bronche, Mary Ann
1662	Brown, Carrie R.	598	Bronche, Amanda
10	Bronche, Matilda D.	599	Bronche, Bessie
621	Bronche, Camille	597	Bronche, Thomas, Jr.
622	Bronche, Sophia	331	Bredell, Noah
1578	Blackeagle, James Norton	322	Bredell, Dolly Y. Compo
618	Bronche, Joseph, Jr.	473	Beall, Thomas
203	Bronche, Sophia Davis	667	Bronche, Thomas, Sr.
1911	(Boyd), Rosa Tillier	668	Bronche, Rosa
639	Bronche, Mary	593	Bronche, Edward
640	Bronche, Margarette	646	Bronche, Louisa H.
595	Bronche, Frank		
55	Corbett, Felix	1900	Cornelius
364	Corbett, Susie Reubens	1901	Cornelius, Martha
38	Corbett, Pierre	497	Craig, Mary
39	Corbett, Elizabeth	498	Craig, Elizabeth Grace
46	Corbett, William	266	Cloud, Benjamin
40	Corbett, Warren	499	Craig, Minnie Christina
252	Corbett, Silas	167	Coyotte
253	Corbett, Ellen	320	Compo, Billy
254	Corbett, Edith	321	Compo, Mary
1378	Conditt, Jason	1843	Carter, Julia Norman
1379	Conditt, Jane	655	Carter, Caleb
48	Corbett, Paul		(Ip nah sau lah kaskt)
49	Corbett, Julia	92	Conner, Edward J.
57	Corbett, Priscilla F.	1916	Complainville, Willv
1380	Conditt, Homer	58	Corbett, Paul



Allot- No.	Name of Allottee.	Allot- No.	Name of Allottee.
428	Davis, Benjamin H.	1584	Davis, Susan
429	Davis, Mary	983	Doumecoq, John
430	Davis, Jesse	773	Dolittle, James
1756	Damion, Ne stee kus tin	1928	Dickson, James
934	Damion, Annie		
439	E we nun my	1952	E lute pa an yen
1786	Ellenwood, Eva Lott	1543	Edward, Charlotte
1256	Evans, Agatha	1544	Edward, Harry
1258	Evans, Joseph	1546	Edward, Nancy
1257	Evans, Thomas	1308	Ellenwood, Hannah
1259	Evans, Rosa May	1907	E yah lah wah tson my
1431	Ezekiel, Delia	1924	Elliott, Ida C.
876	Elk, Pak tilkt		
689	Fairfield, Minnie	180	Frank, Sam
690	Fairfield, Ida	491	Fogarty, Louisa A.
687	Fairfield, Abbie Seeds	493	Fogarty, Agatha L.
511	Five Crows, Benjamin	494	Fogarty, Clydena
303	Frank (Hoo soose Kapsis)	1515	Frank, Lizzie
304	Frank, Olive	688	Fairfield, Innes
1893	Frank, Johnny		
1672	George, Milton	551	Grant, Annie
1336	Gould, Peter	552	Grant, Abel
60	Gould, Hattie	794	Guthrie, George
548	Grant, James	1148	Guthrie, Eugenia Jessie
549	Grant, Nellie	1517	Green, Elizabeth Frank
1589	Hines, Lizzie	663	Halfmoon, Jeanette
1514	Hy yi tam moon, Frank	664	Halfmoon, Mary
1781	He yume we yo tson my	1374	He mo yo kar tsat, Julia
1321	Hayes, Alexander	645	Henry, Mrs. Noble
1094	Hayes, Harry	648	Henry, Joseph
1096	Hayes, Lizzie	649	Henry, John
1312	Hayes, James (Rev.)	650	Henry, Benjamin
1313	Hayes, Fanny B.	651	Henry, Frank
1314	Hayes, Nettie (Thomas)	702	Henry, Ella
947	Hayes, James	647	Henry, Jane
1872	Holt, Mary Jane		(Mrs. Wm. Smith)
1826	Hoyt, Daisy	1250	Hart, Thomas
224	He yume te til pin my	1866	Hoyt, Johnson
1179	Harsche, Julia	1867	Hoyt, Julia
1182	Harsche, Adair	1835	Hines, Benjamin
1616	Hill Tom	466	Higheagle, Antoine
1618	He yume yip tin	1978	Hat yer win my (Etta)
662	Halfmoon, Charles		
368	Ils wa tson my	520	Ip narp tah yah ne pots
505	Ip na tak koo pin	464	I ah lote kikt
234	Is tah ma tin, Thomas	601	Ip na so wat on my,
1456	Its se kar son my		Mrs. Tom

Allot- No.	Name of Allottee.	Allot- No.	Name of Allottee.
227	Jackson, Grover C.	1495	Jabeth, Sarah
1449	Johnson, Abraham	352	James, Too ye hin
1450	Johnson, Mary	1648	John, Nancy
223	Jackson, Charles	761	Jonas, Mary Reuben
1091	Jonas( Jeanette Williams	1073	Johnson, Wati watj how lis
974	Jackson, William	1074	Johnson, Lizzie
1348	James, Robert	419	James, Wet yat mas yah won
1349	James, Julia		yah won
1559	Kip kip pal e kan, Ellis	1792	Kentuck, Jos
1557	Kip kip pal e kan, Harrison	861	Koose to ka nin
1827	Ky way puts, Moses		(James Powers)
1828	Ky way puts, Christina	212	Kane, John
590	Kah lu la son my		
1743	La kol le kin	559	Lemon, William
1565	Lindsley, Thomas	777	Lowry, Phoebe
1566	Lindsley, Agnes	1627	Lowry, Mabel
529	Luh house, George	361	Lindsley, Peter
294	Lawyer, Amy	362	Lindsley, Nancy
298	Lawyer, Lizzie	363	Lindsley, Charles
1294	Little, Charles Wesley	540	Lott, Fred
1787	Lott, Annie	541	Lott, Jennie
1707	Lowry, Felix	738	Luke, Pah kah yot we kin
95	Lawrence, Osias	739	Luke, Annie
96	Lawrence, Phoebe Nelson	547	Lavry, Mary
117	Maxwell, Matilda	1485	Moffit, Lilly
401	McFarland, Francis	82	McCormick, Joseph
965	Moody, Andrew	281	Moore, Albert
966	Moody, Jane	567	Moore, Thomas
1097	Moody, George	301	Moses, Albert
1761	Moore, James	589	Miles, John
1100	Moody, Annie	592	Miles, James
1467	Montieth, Moses	591	Miles, Charles
1468	Montieth, Mary	370	Miller, Susan
1472	Montieth, Celia	373	Miller, Mary
1414	Montieth, Jeremiah	819	McFarland, David
1415	Montieth, Mary	1438	McAtty, Caleb
1227	Montieth, Annie	1439	McAtty, Ellen
1460	Montieth, Lizzie	404	McFarland, Wa win atwy
1400	Moffet, Maria		(Nora)
503	Mis te not	731	Matthew, Ta ma lu sim likt
733	Mathews, Agnes	734	Matthew, Simon
1688	Morris, Alexander	887	Meek, Joseph S.
1689	Morris, Julia Nelson	888	Meek, Stephen A.
1693	Morris, Phillip	248	Morris, Samuel (Sr.)
1690	Morris, Martha (Ellenwood)	249	Morrie, Annie Corbett
1455	Moffit, Daniel	251	Morris, Nettie
1481	Moffit, Stephen	1118	McAtty, Walter
1483	Moffit, Harry		

Allot- No.	Name of Allottee.	Allot- No.	Name of Allottee.
1150	Newton, Abel	1793	Ninsath
206	Nesbit, Walter	895	Newhard, Charles
1676	Nesbit, Alle chin	896	Newhard, Olive
893	Newhard, Jennie M.		
31	Parnell, Mary	18	Penny, Rachel (Arthur)
602	Phinney, Mary L.	1244	Parsons, Carrie
672	Phinney, Mary	32	Parnell, Annie
673	Phinney, William	1549	Parsons, William
108	Porter, Lillie Phinney	1550	Parsons, Mary
109	Porter, Nellie	1552	Parsons, Fannie
110	Porter, Harriet	1551	Parsons, Justin
319	Par kar la pykt, Jane	1553	Parsons, William, Jr.
1462	Pu yah na halt pa wit	778	Paul, Jesse
1466	Pe tsak kin (Joe Altman)	1381	Paul, Lydia Conditt
1932	Peo peo yo war cos (Clayton Dickson)	1848	Peterson, Joseph
609	Pliter, Mollie	1849	Peterson, Sophia
317	Par kar la pykt, Edward	607	Pliter, Peter
1089	Pond, Rachel W.	24	Pinkham, John
585	Pond, Elias	261	Poweke, Henry
586	Pond, Annie	262	Poweke, Alice
1239	Parsons, Robert	264	Poweke, Amos
1240	Parsons, Emma W illiams	265	Poweke, Ellen (Kane)
16	Penny, Benjamin D.	1537	Powers, Frank
17	Penny, Elizabeth	523	Penny, George
103	Reubens, Cecelia	384	Raboin, Laura
396	Reubens, Sophia Moore	450	Raymond, George
104	Reubens, Stephen	449	Raymond, Mary
1598	Raboin, Luke	889	Riley, Mrs. Olive M.
1599	Raboin, Mary	892	Riley, Jennie
1601	Redwolf, Frances		
36	Stuart, James	723	Slickpoo, Peter
37	Stuart, Harriet	724	Slickpoo, Julia
1666	Samuel, Nathan	726	Slickpoo, Paul
708	Smith, William	1298	Smith, James (alias Sam Ellenwood)
709	Smith, Lydia Ann	71	Sheldon, Arthur
705	Stephens, Charles	1214	Stephens, Jeanette
1605	Samuel, George.	73	Sheldon, Albert
1606	Samuel, Lula	189	Seth, Delia
543	Stephens, Amelia Miller	1622	Scott, Julia
1652	Spencer, Effie (Mrs. Ed. Par kar la pykt)	1864	Samuel, Alexander
1587	Stwyer, George	1195	Spalding, Julia
1588	Stwyer, Elinor	1863	Samuel, Louis
1009	Seven, Jack	899	Shinn, Joseph
1010	Seven, John	70	Sheldon, Annie
1015	Seven, Mary	1736	Scott, David, Jr.
478	Sah lah ta mo hi hyh		

Allot- No.	Name of Allottee.	Allot- No.	Name of Allottee.
1110	Ta lah hots wal, Tom	277	Thompson, Mary
839	Thomas, Beatrice	1262	Tomsis, Joseph
1266	Ta mo pon my	1263	Tomsis, Jane
244	Tel lu way ma	1906	Te wit ku e tat, Joseph
527	Tuh tuh hoon	1892	Tsap ilp ilp, Frank
631	Ta moltz ta kae ka won	1910	Tillier, Cecella
1209	Tah mah tip yah lote	1913	Tillier, Clarfost
791	Types, Thomas	469	Te we ton my
197	Timothy, Maggie		
1571	We ya yo yikt	1246	White, Alice
972	Williams, Wm. M.	66	White, Charles
1230	Williams, Luke	20	White, Nat
1231	Williams, Emma	21	White, Jane
1303	Wheeler, Phillip (alias Phillip Williams)	7	Williams, Maggie
		8	Williams, Ellen
1304	Wheeler, Malinda	994	Waters, Jonas
1305	Wheeler, Martha	995	Waters, Louisa
1306	Wheeler, Elizabeth	1586	Wilber, Jim
1307	Wheeler, Emily,	1585	Wilber, Sally
605	Whitman, Sophia Thomas	438	Webb, Edward
825	Wah lah tson my	440	Webb, Charles
929	Wah wo not, Ellen	513	Williams, Tom
1778	Whitfield, Matthew	514	Williams, Delia
1779	Whitfield, Lucy	1854	Wheeler, William
307	Whitfield, Elmer	462	Wa tes ta tol ku likt, John
1487	Walker, John	1857	Wheeler, Harry
1488	Walker, Mary Williams	864	Williams, Dolly
1490	Walker, Jerome	521	Yo ho e we nun my
502	Wilson, Sam	1461	Ze loon was

1ST CLASS Indians Entitled to Re- ceive all Rentals.	2ND CLASS Rentals to be De- posited.	3RD CLASS Minors and Non- competents.
Allen, Mark	Albert, Joseph	Allen, Jennie
Allen, Jeanette	Ah leu you wow te kat	Allen, May
Allen, Emma	sat	Adams, Sophia
Allen, Lula	Alla mute	Armstrong, Lucy
Allen, John	Armstrong, Ralph	Armstrong, Lydia
Allen, Fannie	Andrew, Phillip	Andrews, Billie
Allen, Thomas	Arthur, Daniel	Andrews, Millie
Andrews, Luke	Andrew, Amelia (Kane)	Andrews, Ida
Andrews, Mary		Alfrey, John
Arthur, Mark		Alfrey, John (Leitch)
Arthur, Mary B.		Albert, Tony
Anderson, John		
Anderson, Fannie		
Amera, Charles		
Anderson, Harry		
Anderson, Elinor G.		
Amos, William		
alias Henry Eneas		
Alfrey, William. Jr.		
Alfrey, Jack		
Allen, Joseph		
Allen, Calvin		
Ah pat ma		
Amera, Harriet		
Ah pos tin ma		
Ah la lim yah we na		
nun my, Sarah		
A la lim ta le ka sat..		
Abraham, Emma		
Ah yah toe tah lute yekt		
Axtell, Harriet		
Adams, Mary		
Ah pos tin nah, Daniel		
A lew yah tsa si kan		
At yume te yat kikt		
Ah la lim wa tsan my		
Ah la lim yah we nun m.		
Ah chee		
Ah yah to e see kar tson my		
Adams, Charles		
Adams, Louisa		
Agee, Erastus		
Agee, Lucy		
Agee, James		
Agee, Philip		
A-nun-we-nun-my		
Axtell, Stephen		
Axtell, Fattie		
Brown, Dick Richard	Bicklett, Ruth	Bronche, Walter
Brown, Carrie R.	Bronche, Charles	Bronche, David
Bronche, Camille	Bronche, Charles	Bronche, James
Bronche, Sophia	Bronche, Mary Ann	Bronche, Annie



1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.
Bronche, Joseph, Jr.	Bartlett, Charles	Bronche, Edna
Bronche, Sophia Davis	Bartlett, Jane	Bronche, Lizzie
(Boyd), Rosa Tillier	Brooks, Minnie	Bartlett, Mary
Bronche (Davis) Matilda		Blackeagle, Joseph
Blackeagle, James Norton		Black Elk, George
Boyd, Robert		
Bronche, Mary		
Bronche, Margarette		
Bronche, Frank		
Bronche, Mary Ann		
(Henry) Allottee 596		
Bronche, Thomas, Jr.		
Bronche, Amanda		
Bronche, Bessie		
Bredell, Noah		
Bredell, Dolly Y. Compo		
Beall, Thomas		
Bronche, Thomas, Sr.		
Bronche, Rosa		
Bronche, Edward		
Bronche, Louisa H.		
Bicklett, Samuel		
Bear, Annie		
Bronche, Lucy		
Brooks, Elizabeth		
Bear, Martha		
(Yellow Bear)		
Black Elk, Louise		
Bassett, Mary		
Corbett, Felix	Corbett, Peter	Corbett, Amos
Corbett, Susie Reubens	Compo, Ellen	Corbett, Jimmie
Corbett, Pierre	Corbett, Darwin	Compo, Jospeh
Corbett, Elizabeth	Carl, Ip nahtom sa wa	Carter, Cecelia
Corbett, William	hote	Corbett, Jones
Corbett, Warren	Corbett, Kentuck	Corbett, Amos
Corbett, Silas	Corbett, Agnes	Corbett, Albert
Corbett, Levi		Corbett, Aggie
Corbett, Ellen		Craig, E na hap ee
Corbett, Edith		
Conditt, Jason		
Conditt, Jane		
Corbett, Paul		
Corbett, Julia		
Corbett, Priscilla F.		
Conditt, Homer		
Cornelius		
Cornelius, Martha		
Craig, Mary		
Craig, Elizabeth Grace		
Craig, Minnie Christina		

1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.
Coyotte		
Compo, Billy		
Compo, Mary		
(Ky way puts)		
Carter, Julia Norman		
Carter, Caleb		
(Ip nah sau lah kaskt)		
Conner, Edward J.		
Complainville, Lilly		
Corbett, Paul		
Corbett, Lizzie		
Corbett, Emma E.		
Corbett, Annie		
Corbett, Lucy		
Carter, Mary		
Compo, Frank		
Cutnose, John		
Corbett, Annie		
Carl, Tom		
Ch ah wah		
Corbett, Jane		
Cloud, Benjamin		
Davis, Benjamin H.	Davis, Billy	Davis, Esther
Davis, Mary		Dickson, Matthew
Davis, Jesse		Dickson, Jennie
Damion, Ne stee kus tin		
Damion, Annie		
Davis, Susan		
Doumecoq, John		
Dolittle, James		
Dickson, James		
Davis, Captain		
Davis, Julia		
Davis, Joseph		
Davis, Hattie		
Dog, John		
Duck, Andrew		
Davis, Charlotte		
Davis, Sam		
Davis, Elizabeth		
Davis, James E.		
Daniel, Lydia		
Daniel, William		
Davis, Phebe		
Davis, Wilson		
E we nun my	Ellenwood, Joseph	Ellenwood, Jessie
Ellenwood, Eva Lott	E lah ot wah tes, Edgar	Ellenwood, Hattie
Evans, Agatha	Ezekiel, Nancy	Ezekiel, May
Evans, Joseph	Eneas, Ignace	Eneas, Edna
Evans, Thomas	Eneas, Mary Ann	Eneas, Joseph
Evans, Rosa May	Eneas, Paul	Eneas, James

1ST CLASS Indians Entitled to Re- ceive all Rentals.	2ND CLASS Rentals to be De- posited.	3RD CLASS Minors and Non- competents.
Ezekiel, Delia	Edwards, Louis	
Elk, Pak tiltk	E mon tsae kan ma,	
E lute pa an yen	Fannie	
Edward, Charlotte	E la wah win my	
Edward, Harry	E nah lunkt, Henry	
Edward, Nancy	Elah kakt	
Ellenwood, Hannah		
E yah lah wah tson my		
Ellenwood, Lily T.		
Ellenwood, Thos. Crooks		
(John C. Ellenwood)		
Ellenwood, Rebekah		
Eugene, Mary		
E yah tan my		
E yah tan my, Nancy		
E you stemed, Nema		
Ezekiel, Jeanette		
Eneas, Carrie		
Ewe ton my		
E lul mart		
Frank, Sam	Fleming	
Fogarty, Louisa A.		
Fogarty, Agatha L.		
Fogarty, Clydena		
Frank, Lizzie		
Fairfield, Innes		
Fairfield, Minnie		
Fairfield, Ida		
Fairfield, Abbie Seeds		
Five Crows, Benjamin		
Frank (Hoo soose Kap- sis		
Frank, Olive		
Frank, Johnny		
Fogarty, Andrew		
Gould, Peter	Gould, Amanda	George, Hattie
Gaddy, Josephine		George, Lottie
George, Milton		George, Charles
Gould, Hattie		George, Edna
Grant, James		
Grant, Nellie		
Grant, Annie		
Grant, Abel		
Guthrie, George		
Guthrie, Eugenia Jessie		
Green, Elizabeth Frank		
Grant, Jane		
George, Amos		
Grant, Maggie		

1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.
Hines, Lizzie	He yume tune my	Hayes, Edna
Hiyi tam moon, Frank	Hayes, Axtell	Hayes, Noah
Hayes, Alexander	Hill, Thomas	Hayes, Titus
Hayes, Harry	He yume ke yume my	Hayes, Joseph
Hayes, Lizzie	Han yeon	Havird, Annie
Hayes, James (Rev.)	He mah kae tsat wy	Havird, Walter
Hayes, Fanny B	Hill, Ellen	Hill, Lucy
Hayes, Nettie (Thomas)	Hill, McCoy	He yume sap lu
Hayes, James	Henry, James	He yume wish likt kow
Holt, Mary Jane	Henry, Alice	
Hoyt, Daisy	Henry, Jane	
He yume te til pin my	(Allottee 412)	
Harsche, Julia	Hudson, Phoebe	
Harsche, Adair	He yume yone my, Susie	
Hill, Tom	Hoonah, Solomon	
He yume we yo tsan my		
He yume yip tin		
Halfmoon, Charles		
Halfmoon, Jeanette		
Halfmoon, Mary		
He mo ye kar tsat, Julia		
Henry, Mrs. Noble		
Henry, Joseph		
Henry, John		
Henry, Benjamin		
Henry, Frank		
Henry, Ella		
Henry, Jane		
(Allottee 647)		
(Mrs. Wm. Smith)		
Hart, Thomas		
Hoyt, Johnson		
Hayes, Andrew		
Henry, Samuel		
Halfmoon, Otis		
How-to-ta-ie		
Hoyt, Julia		
Hines, Benjamin		
Higheagle, Antoine		
Hat yer win ny (Etta)		
Hudson, Jennie		
He yume ta ke tak kit		
Emma		
Hayes, Annie		
Hezekiah, Elizabeth		
He yume te la kar tsat		
He yume la son my		
Hill, Mariah		
He yume wa ke mal its		
Hines, Susie		
Horn, Lucy		

1ST CLASS  
Indians Entitled to Re-  
ceive all Rentals.2ND CLASS  
Rentals to be De-  
posited.3RD CLASS  
Minors and Non-  
competents.

Hines, Eunice

Halfmoon

Halfmoon, Elizabeth

Ip na so wat on my,

Mrs. Tom

Ils wa tson my

Ip na tak koo pin

Is tah ma tin, Thomas

Its se kar son my

Ip narp tah yah ne pots

Iah lote kikt

Ip nah sah pah yah le

ka son my

Ip na mah wats

Im ma ton my

Its tot kar yai

Ill sto we nun my,

Esther

Ip not kine, Emma

Ip nah ta mo ta likt

Is ma h meh poo

Ip nah sah pah yahtal

te pon my

Im-la-le-ka-son-my

Ip na we tote pots, Joseph

I yets pah lo tson my

Ip pa lee kit tsis kun

I yah tow pa likt

Ip nah tah mow ta lote

Ip now yah tah mo tson

my

Jackson, Grover C.

Johnson, Abraham

Johnson, Mary

Jackson, Charles

Jonas, Jeanette William

Jackson, William

James, Robert

James, Julia

Jackson, Jennette

Jabeth, Sarah

James, Too ye hin

John, Nancy

Jonas, Mary Reuben

Johnson, Wati wati how

lis

Johnson, Lizzie

Jorum, Me sa me

Jonas, Hannah

Jackson, Ellen

Job, Delia

Jabeth, Nathaniel

John, Moose Moose

Jehu, Phillip

James, Wet yat mas yah

won yah won

Jackson, Jane

Jackson, Paul

James, Jesse W.

Jack hop, Isabel

Johnson, Julia

Johnson, Lena

Jefferson, Eddie

Jabeth, Harrison

Jabeth, Susie

John, Annie

John, Agnes



1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.

Johnson, Albert  
(Is-kit-soo-tse-moo-  
tse-moo)  
Jonas, William

Kip kip pal e kan, Ellis	Ke ma stem	Kip kip pal e Kan,
Kip kip pal e kan,	Ke napes	Elias
Harrison	Kentuck, Moses	
Ky way puts, Moses	Kow tu likt	
Ky way puts, Christina	Kar la tose	
Kah lu la son my		
Kentuck, Joe		
Koose ta ka nin		
(James Powers)		
Ka koot see		
Koo muse su ta sim		
Kane, Mary		
Ko tsum nee		
Ko tson my, Lula		
Kol kol hta me, Stephen		
Kane, Matilda R.		
Kane, John		

Lowry, Mary	Leitch, Mary	Lookingglass, Cornelius
La kol le kin	Leitch, Josephine	Lookingglass, David
Lindsley, Thomas	Lowry, Naomi	Lowry, Nancy
Lindsley, Agnes	Lindsley, Mark	Lowry, Dolly
Luh house, George	Lindsley, Jane	Lowry, Jennie
Lawyer, Amy	(Allottee 381)	Lawyer, Annie
Lawyer, Lizzie	Lindsley, Lillie	(Dau. of John)
Little, Charles Wesley	Lott, Nathan	Lawyer, Joseph
Lowry, Felix	Lee le ko lum	Lott, Ellis
Lawrence, Osias	Lowry, Madeline	Lott, Harrison
Lawrence, Phoebe Nelson	Lah pew tah lah nah	
Lemon, William	Lincoln, Margaret	
Lowry, Phoebe	Lowry, Lizzie	
Lowry, Mabel	Lights, Willie	
Lindsley, Peter	(or Willie George)	
Lindsley, Nancy		
Lindsley, Charles		
Lott, Fred		
Lott, Jennie		
Luke, Pah kah yot we kin		
Luke, Annie		
Lewis, James		
Lewis, Julia C.		
Lindsley, Robbins		
Lindsley, Amelia		
Lookingglass, Henry		

1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.
Lookingglass, Mary		
Lookingglass, Benjamin		
Lawyer, Annie		
Lookingglass, Susan		
Lawyer, John		
Levi, Matilda		
Lowry, John		
Lott, Laura		
Lott, John		
Lindsley, Dorcas		
Lah kah		
Lott, Samuel		
Lewis, James		
Lawyer, Corbett B.		
Mit me we kar tsat	Mark, Mary	McConville, Susie
Charlotte	Mox mox, Epah likt	McConville, Rose
McFarland, Rebekah	Mah toe no, Maria	McFarland, Archie
Moody, Rebekah	Moo toe	McFarland, Nellie
McDonald, Amos	Miller, John	McFarland, John
Morris, Sam, Jr.	Malliken, Ellen	Memelch, Jones
Matt, James	Miller, Moses	Minthorn, Aaron
Moffet, Sarah	Minthorn, James	McConville, James
Moffett, Mariah	Mox mox, Tom Henry	Moore, May
Moffet, Ellen	Moody, Samuel	Miller, Dorcas
Miller, Sarah	Minthorn, Robert	Miller, James
Ma tsa yo pa hat, Lizzie	Miles, Mary Penny	McAtty, Adelia
Matthew, John	McConville, John	McAtty, Jane
Moses, James	Moses, James, Jr.	Moody, Charles
Moses, Lillie	Moses, John	McDonald, Katherine
Mat tuge, Alice		
(Lawrence)		
McFarland, Jeanette		
McFarland, Phillip		
Malliken, Eugene		
McAtty, Walter		
McAtty, Sophia		
Moody, James		
(A lew yah kikt)		
Moody, Susie		
Minthorn, Lucy		
Moody, Hattie		
Milly (Im ne wah kin my)		
Mick so no		
Maxwell, Matilda		
McFarland, Francis		
Moody, Andrew		
Moody, Jane		
Moody, George		
Moore, James		

1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.
Montieth, Moses		
Montieth, Mary		
Montieth, Celia		
Montieth, Jeremiah		
Montieth, Mary		
Montieth, Annie		
Montieth, Lillie		
Moffet, Maria		
Mis te not		
Matthews, Agnes		
Morris, Alexander		
Morris, Julia Nelson		
Morris, Phillip		
Mox Mox, Peter		
Morris, Martha (Ellenwood)		
Moffit, Daniel		
Moffitt, Stephen		
Moffit, Harry		
Moffit, Lilly		
McCormick, Joseph		
Moore, Albert		
Moore, Thomas		
Moses, Albert		
Miles, John		
Miles, James		
Miles, Charles		
Miller, Susan		
Miller, Mary		
McFarland, David		
McAtty, Caleb		
McAtty, Ellen		
McFarland, Wa win atwy (Nora)		
Matthew, Ta ma lu sim likt		
Matthew, Simon		
Meek, Joseph S.		
Meek, Stephen A.		
Morris, Samuel (Sr.)		
Morris, Annie Corbett		
Morris, Nettie		
Moody, James		
Meek, Lenora		
Maxwell, Starr Jacob		
Maxwell, Mary Wilson		
Minthorn, Annie		
Minthorn, John		
Me tie yet		

1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.
Newton, Abel	Notes no	Newman, Edna
Nesbit, Allechin	Nicodemus, Simon	Nicodemus, Peter
Newhard, Jennie M.	(Latchky)	Nicodemus, Willie
Ninsath	Nesbit, Harriet	Newton, Fannie
Newhard, Charles	Ne kat ton tine	Nocks-kown, Josiah
Newhard, Olive	Nartk	
Newman, Lydia Whitman		
Newton, Agnes		
Nicodemus, Lucy		
Nesbit, Effie Daniels		
Nesbit, Carrie		
Nots-keum, Cornelius		
Newhard, Courtney		
Newhard, Victor		
Nesbit, Mabel D., or		
(Mabel Nesbit Halfmoon)		

Op tson ne  
Oo tsotz te wa tat

Oo yah ma

Parsons, Apollis  
Pe lah wah tsan my  
Pitts steen  
Parsons, Peter  
Parsons, Maggie  
Pe we yah tah mah lipt  
Pop sto we kar tsat,  
Elizabeth  
Pop sto we kar tsat  
Penny, Elizabeth Sr).  
Powers, Thomas  
Parsons, Jude  
Pinkham, Elizabeth  
Pinkham, Emma  
Pinkham, Louisa  
Pe yah neep tah  
Pe tal wa na nikt, Mary  
Pe tin nitz  
Penny, Ida R.  
Pe la ta ya kot, Jane

Pet you tson my  
Phinney, Fitch  
Phinney, Leander  
Pe ku nen mue  
Pe tu me ya non  
Py nah win my  
Pe na we nun my  
Pile of Clouds  
Pit you stun my  
Pe me ke out  
Pe yel ip ath  
Pablo, Mary  
Pe na tal wa tson my  
Pe la likt kartsat  
Pe lo tson my, Cecelia  
Pe na ta la la sa san my

Pah kau la sim likt  
Pablo, John  
Pablo, Sam  
Phinney, Walter  
Phinney, Clara  
Pet yal lone my  
Pinkham, Alex  
Pnkham, Lillie V.  
Pinkham, Joseph E.  
Pole, Edward

Pet al we ta lute, Susie  
Py nae kat  
Par tinz  
Parnell, Mary  
Phinney, Mary L.  
Phinney, Mary  
Phinney, William  
Porter, Lillie Phinney  
Porter, Nellie  
Porter, Harriet  
Par kar la pykt, Jane

1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.
Pee wah nah halt pa wit		
Pe tsak kin		
(Joe Altman)		
Peo peo yo war cos		
(Clayton Dickson)		
Pliter, Mollie		
Par kar la pykt, Edward		
Pond, Rachel W.		
Pond, Elias		
Pond, Annie		
Parsons, Robert		
Parsons, Emma Williams		
Penny, George		
Peo peo tah likt, George		
Penny, Benjamin D.		
Penny, Elizabeth		
Penny, Rachel (Arthur)		
Parsons, Carrie		
Parnell, Annie		
Parsons, William		
Parsons, Mary		
Parsons, Fannie		
Parsons, Justin		
Parsons, William, Jr.		
Paul, Jesse		
Paul, Lydia Conditt		
Peterson, Joseph		
Peterson, Sophia		
Pliter, Peter		
Pinkham, John		
Poweke, Henry		
Poweke, Alice		
Poweke, Amos		
Poweke, Ellen (Kane)		
Powers, Frank		
Parsons, James		
Pe-na-wan-na-ni-kin-my		
Red Duck, Sophia	Rankin, William	
Red Duck, Nelson	Rankin, Tom	
Red Duck, Leo	Rankin, Ruth	
Red Wolf		
Red Bear, Susie		
Red Heart, Mary		
Reuben, John		
Rebecca (Its tiks)		
Raymond, Lucy		



1ST CLASS Indians Entitled to Re- ceive all Rentals.	2ND CLASS Rentals to be De- posited.	3RD CLASS Minors and Non- competents.
Roland, Walter		
Reubens, Cecelia		
Reubens, Sophia Moore		
Reubens, Stephen		
Raboin, Edward, Jr.		
Raboin, Edward		
Raboin, Alice		
Redwolf, Josiah		
Raboin, Luke		
Raboin, Mary,		
Red Wolf, Frances		
Raboin, Laura		
Raymond, George		
Raymond, Mary		
Riley, Mrs. Olive M.		
Riley, Jennie		
Spaulding, Sampson	Samuel, Mary	Stephen, Louisa
Sampson, He meen e lah ne	Spencer, Johnson, Jr.	Stephen, Annie
Seth, Conley	Samuel, Timothy	Slickpoo, David
Scott, David	Slickpoo, James	Samuel, Peter
Scott, Julianna	Slickpoo, Julia	Samuel, Julianna
Scott, John	Sap niss	Slickpoo, Samuel
Samuel, Lydia	Sam, Susie	Sheldon, Walter
Samuel, Fannie	Samuel, Martha	Sheldon, Thomas
Seven, Lucy	Sam, Emma Lindsley	Scout, Sam
Stephen, Lizzie		Smith, Katie
Stephen, Al met		
Samuel, Silas		
Samuel, Agatha		
Simpson, Agnes (Rose)		
Spaulding, Julia		
Sheldon, Annie		
Spaulding, We yot wy		
Spaulding, Charles (James)		
Seth (E you kar sin hy hah)		
Smith, Sampson		
Smith, Priscilla C.		
Scout, Ellen C.		
Samuel, Kit so wat		
Samuel, Lucy		
Stwyer, Emma L. (Emma Lindsley)		
Spaulding, Thomas		
Samuel, Kesiah		
Smith, William (Simp son)		
Stuart, James		
Stuart, Harriet		
Samuel, Nathan		

1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.

Smith, William  
 Smith, Lydia Ann  
 Samuel, George  
 Samuel, Lula  
 Stephens, Charles  
 Stephens, Amelia Miller  
 Spencer, Effie Mrs. Ed.

Par ka la pykt)  
 Stwyer, George  
 Stwyer, Elinor  
 Seven, Jack  
 Seven, John  
 Seven, Mary  
 Sah lah ta mo hi hyh

Slickpoo, Peter  
 Slickpoo, Julia  
 (Allottee 724)  
 Slickpoo, Paul  
 Smith James, alias  
 Sam Ellenwood

Sheldon, Arthur  
 Stephens, Jeanette  
 Sheldon, Albert  
 Seth, Delia  
 Scott, Julia

Samuel, Alexander  
 Spalding, Julia  
 Samuel, Louis  
 Shinn, Joseph  
 Scott, David, Jr.  
 Simpson, Maud  
 Sheldon, Laura  
 (Laura Ingle)  
 Settler, Joseph

Tsam kin	Til timt	Tah mow yah ap
Tul ma nun my	Ta wen ta yah kone my	Tse you
Tsa yah yo yi	To he yin, Alexes	Tim tim me la kin
Tsuchs pah loo (James)	To he yin, Johnson	Ta ba boo, John
Ta mo tsan my, Theresa	Tom lah	Ta math
Tul te yukt	Ta ya ats	Types, May (Bosco)
Tse lau te yeh me wit	Thompson, Hugh	Thompson, Joe
To e yah win my	Ta tah we tah lote	Tse you
Tow ti	Tsits koop	Tababoo, Jimmie
Tso tal ya la tet	Tok toe tson my	
Tu ka ya lakt, Moses	Tuck kar ka oukt	
Tah mah we nun my	Tsah la tah mo was was	
Tcharley	no, Josiah	
Te kas poo	Ta hum li ki ma,	
To ih le wai ma	Elijah	
Three Feathers	Te la kesa, Mary	
Tul te yekt	Te la kesa, Charles	

1ST CLASS	2ND CLASS	3RD CLASS
Indians Entitled to Receive all Rentals.	Rentals to be Deposited.	Minors and Non-competents.
Tse tat pat	Tah harts, George	
Tam na kat kat, Helen	To na hun, Annie	
Tok ta kee ko tsat,	Ta ow sin	
Martha	Te we talkt	
Thomas, Sophia	Tote sy yume	
Tes la wood	Ti-tin-he-neen-kyie	
Types, Mary	(Te-teen)	
Ta wes was hykt		
Charley		
Tababoo, Curry		
Thompson, Titus		
Thompson, Mary		
Tu kar seh i yet		
Ta mul we non my		
Tah le ne ka tan win		
my, Matilda		
Thomas, Mary Ann		
Te ta pil ma		
Tse la, Jack		
Ta le nikt		
Ta ne kama		
Te we wa tson my		
Thomas, Elizabeth		
Ta lah hots wal, Tom		
Thomas, Beatrice		
Ta mo pon my		
Tel lu way ma		
Ti lop its		
Tuh tuh hoon		
Ta moltz ta kae ka won		
Tah mah tip yah lote		
Types, Thomas		
Te we ton my		
Timothy, Maggie		
Thompson, Mary		
Tomsis, Joseph		
Tomsis, Jane		
Te wit ku e tat, Joseph		
Tsa til tilp, Frank		
Tillier, Cecelia		
Tillier, Clarfost		
Tilden, Samuel		
Tol-yaukt		
Tillier, Esther		
Tam-a-lik		
Tah-wa-toy, Ida		
Tul-te-yukt, Mary		
Viles, Lillie	Um le leets	

1ST CLASS Indians Entitled to Re- ceive all Rentals.	2ND CLASS Rentals to be De- posited.	3RD CLASS Minors and Non- competents.
Wa win art	Winters, Lucy	Wap tose note
Way star ne nikt	We yauts kone my	Wep tse ma
Wolf Hemen	Wa lot kik how win	White Bull, Willie
Wa ya in ne wit, Alice	We nun ta kar nin,	Wo la lipt
Wa koo peen	Edward	Williams, Jonas
White Bull, Mark	We non my, Emma	Wilkinson, Irene
We ya ta na toe ta lote	Wat tes ain	Wilkinson, Cyrus
Woolar wa non my	We none my	Whitman, Rosa
William, Lucy R.	Williams, Amos	Williams, Simon
Wilkinson, Amos	(Cowhide)	We yas kay set,
Whitman, Lillie	Wa pa tots, Mary	George
Whitman, Samantha	Wo lots	Wees star skot, Emma
We yah tal wa tson my,	We tses tsa	Wees star skot, Leo
Whitman, Simon	Wil keets poo	Wees star skot, Willie
Williams, James	Wilson, Isaac	Williams, Edward
Williams, Dolly	Wa win te tone my	White, Joseph
Wah i yah poo, John	Wa tes tits ka nin	Williams, Rachel
Williams, Camille	Web tes nute, Charley	Williams, Susie
Williams, Lucy M.	Williams, James	Williams, Daniel
William, John	Wilson, James	
White, Eliza	Wilson, Kate	
Wa win wa tsan my	Walker, John	
Whitman, Martha	Williams, Abel	
Williams, Emma	Williams, Amos	
(Mrs. Robert, Jr.)	Weets tah kin, David	
We ke takt	Wah lone my	
Wet ters lar arm nin	We yah tut we non my	
War win way non my	Wa na poo, Ellen	
We ya ta na ha yakt	We ya tsa kaum, Jacot	
(Wa leem lecks)	Wal ma hoe tsute,	
We ya yo yikt	Charley	
Williams, Wm. M.	We yah lah home	
Williams, Luke		
Williams, Emma		
Wheeler, Phillip (alias		
Phillip Williams)		
Wheeler, Malinda		
Wheeler, Martha		
Wah wo not, Ellen		
Whitman, Sophia		
Thomas		
Whitfield, Matthew		
Wah lah tson my		
Wheeler, Elizabeth		
Wheeler, Emily		
Whitfield, Lucy		
Whitfield, Elmer		
Walker, John		
Walker, Mary William		
Walker, Jerome		
Wilson, Sam		
White, Alice		
White, Charles		

1ST CLASS  
Indians Entitled to Re-  
ceive all Rentals.

2ND CLASS  
Rentals to be De-  
posited.

3RD CLASS  
Minors and Non-  
competents.

White, Nat  
White, Jean  
Williams, Maggie  
Williams, Ellen  
Waters, Jonas  
Waters, Louisa  
Wilber, Jim  
Wilber, Sally  
Webb, Edward  
Webb, Charles  
Williams, Tom  
Wheeler, William  
Wa tes ta tol ku likt,  
John  
Wheeler, Harry  
We-yah-tul-we-nun-my  
Whitman, Silas  
White, Nettie  
White, Alice  
White, Guy  
Way leem lecks  
Wilson, Mary Lucy  
Williams, Charles

Yoe hoe we nun my  
Yo ho e  
Yah yakt wa tson my  
Yellow Bull  
Yelmis  
Yo hoy ye wit a how  
lee ne kin, Joñnni.

Ze loon was







# Laws *and* Regulations

Relating to

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Indians *and*  
Their Lands

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*Compiled by Oscar H. Lipps*  
*Supervisor of U. S. Indian Service*







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